

Current law allows males to get married when they are 18 and females when they are 16. A juvenile court can also consent to allow a couple to get married younger than the minimum age when the female is pregnant and intends to have the child. For example, in 2002 a Gallia County judge granted consent for a 14-year-old pregnant girl to marry the 48-year-old father. While these cases are rare, they are allowable under Ohio law, and proponents of the bill argue that the current law provides a high risk of abuse and exploitation of minors.

HB 511 was reported by the Community and Family Advancement

Committee unanimously  
and has no opponents.

**House Bill 540**  
HB 540 revises the Ohio Teacher Evaluation System (OTES). The bill requires the Department of Education to revise the state framework for teacher and administrator evaluations, based on the recommendations of the Educator Standards Board, and to submit a summary of its revisions to the State Board of Education for review. The bill also requires the State Board to adopt the revised framework by May 1, 2019, and requires school districts to update their teacher evaluation policies by July 1, 2019.

HB 540 makes several

changes to the specifications for the revised framework and does not take effect until the 2020-2021 school year.

HB 540 is supported by the Ohio Education Association and the Ohio Educator Standards Board and has no opponents. The bill was reported by the Education and Career Readiness Committee 17-2 with Rep. Hood voting “no.”

House Bill 543  
HB 543 authorizes a county prosecuting attorney, in the attorney’s discretion and with the approval of the board of county commissioners, to enter into a contract with a regional airport authority, port authority, or regional planning commission to be

its legal adviser. The county prosecuting attorney would also be permitted to charge a fee for legal services agreed to under the contract.

The bill was supported in committee by the Ohio Association of Regional Councils, the Ohio Aviation Association, the Dayton International Airport, and the Allen County Regional Airport Authority. The bill has no opponents and was reported 11-0.

House Bill 551  
Currently there is low participation from 16- and 17-year-olds in both construction and manufacturing fields. HB 551 would encourage participation by

allowing 16- and 17-year-olds to be hired in construction and manufacturing and permitting them to use a limited number of power tools after taking federally approved safety classes.

Employers would provide training to youth prior to operation of power tools to ensure the highest level of safety. The legislation would open up opportunities for youth exposure to these fields of employment, possibly leading to greater participation in the future.

HB 551 is supported by NFIB, Ohio Manufacturers' Association, and Associated Builders and Contractors. It is pending in

## Economic Development, Commerce, and Labor.

House Bill 557  
HB 557 licenses and regulates the practice of art therapy, which is currently not recognized under Ohio law. The bill states that the Counselor, Social Worker, and Marriage and Family Therapist Board will regulate and adopt rules for art therapists.

Art therapists claim they have been practicing at the national level and in Ohio, but are not regulated as their own classification of medical professional. Opponents argue that creation of the title art therapist is unnecessary and inappropriate. The bill was amended to appease opponents by

removing an art therapist's ability to "diagnose." While this helped, none of the opponents have changed their stance.

HB 557 is supported by the Buckeye Art Therapy Association, American Art Therapy Association, Cleveland Clinic, and others, but opposed by the Ohio Speech and Hearing Governmental Affairs Coalition, Ohio Occupational Therapists Association, and Ohio Counseling Association. The bill was reported by the Health Committee 13-3 with Reps. Butler, Merrin, and Romanchuk voting "no.? D

House Bill 572  
HB 572 aims to help correct a situation mainly affecting the

developmental disabilities population.

The bill would require OPERS to grant a full year of service credit to a PERS member employed as a nonteaching school employee of a county board of developmental disabilities if the member performs full-time services in the position for at least nine months and is paid earnable salary in each month of that year. This member must meet the conditions as prescribed under the bill in order to receive the full service credit.

The bill also opens a 90-day window for each eligible county board of developmental disabilities, in working through the county auditor, to report to

OPERS the member's name and any additional information required by PERS in the form they require.

Current law grants a full year of service credit to an SERS member who is employed by a SERS-covered employer on a full-time basis for nine or more months of service within a year.

HB 572 was reported by the Aging and Long-Term Committee unanimously and has no opponents.

House Bill 595  
HB 595 is another “probate omnibus” bill that includes several additional changes to make Ohio’s probate law more efficient, fair, and updated. The bill

expands Ohio's "Slayer Statute" by generally disqualifying a person convicted of involuntary manslaughter from in any way benefitting from the death of the victim of that offense.

The bill also responds to a desire to allow individuals to pass on knowing their estate instruments are valid and mechanisms exist to ensure that private details of their lives can be kept private in a post-mortem dispute.

Specifically, the bill makes clear that provisions mandating arbitration in trust disputes are generally enforceable, creates a procedure for determining the validity of a trust prior to the death of the testator, and generally prohibits a person from contesting the

validity of any trust as to facts a probate court decided were valid during the testator's lifetime.

The bill also allows for the personal representative of a decedent to file an application with the probate court to release the decedent's medical records for the limited purpose of deciding whether to file a wrongful death claim, rather than having to open an estate for that limited purpose. The bill also contains provisions relating to the incorporation of trusts in wills and specifies that the exception to the anti-lapse provisions for wills and trusts only apply to multigenerational class gifts.

HB 595 is supported by

the Ohio Judicial Conference and the Ohio State Bar Association. The bill has no opponents. It was unanimously reported by the Civil Justice Committee.

**Senate Bill 66**  
SB 66 makes numerous “smart on crime” changes to Ohio’s criminal justice system. The bill adds promotion of the effective rehabilitation of an offender to the overriding purposes of felony sentencing. It removes the mandatory one-year minimum that currently applies when a court sentences an offender to a community control sanction for a fourth- or fifth-degree felony under the presumption for such a sanction. This change allows a sentencing court

to tailor a sentence to the needs of the individual so they can be more effectively rehabilitated.

The bill modifies how a sentencing court calculates the confinement credit by which the prison term for a felony must be reduced, and it allows a court to impose a new term of up to six months in jail as a penalty for a violation of a community control sanction.

Other key provisions in the bill deal with allowing people to get their lives back on track so they can be productive members of society. Key to these are provisions that: 1.) modify the criteria that a person must satisfy to be eligible for intervention in lieu of conviction, 2.)

expand pretrial diversion  
eligibility with  
prosecutorial consent, and,  
3.) expand the categories  
of offenders who are  
“eligible offenders” for  
purposes of Ohio’s  
Conviction Record Sealing  
Law.

SB 66 is supported by  
ODRC, Ohio Judicial  
Conference, and others.  
The bill has no opponents.  
It passed the Senate 32-0  
and was unanimously  
reported by the House  
Criminal Justice  
Committee.

Senate Bill 81  
Current law only allows a  
retired or honorably  
discharged veteran to  
apply for a concealed carry  
license with  
documentation of proof  
of training for up to 10

years after separation from the military. SB 81 would remove this time limit.

This legislation removes concealed carry license fees for veterans unless waived fees in a year amount to \$1.5 million. The window will close until the start of next year if the limit is reached. The Attorney General will track waived fees and report to sheriffs when the window is closed.

SB 81 also permits a current veteran CHL holder to renew the license before expiration. This is already allowed for ordinary Ohio citizens and brings veterans with a CHL into that same group.

SB 81 is supported by AMVETS and has no opponents. It was reported

out of Armed Services,  
Veterans Affairs, and  
Homeland Security 10-1.

**Senate Bill 127**  
Am. S.B. 127 requires drivers to move over or reduce their speed for stationary waste collection vehicles with flashing lights. The bill also allows waste collection vehicles (trash, garbage, refuse, or recyclables) to use flashing lights. The bill was supported by the Solid Waste Association of North America and Rumpke and did not have any opponents in House Government Accountability and Oversight. The bill was reported 10-0.

**Senate Bill 216**  
SB 216 aims to deregulate burdensome policies

affecting public school districts across the state and enact other education-related policies.

SB 216 revises the Ohio Teacher Evaluation System (OTES) as recommended by the Ohio Educator Standards Board and compromised by various stakeholders.

The bill also revises educator licensure and employment, including grade bands, licensure in Early College High Schools, career-tech licensure, substitute teacher licensure, and gifted services professional development.

Lastly, SB 216 revises textbook costs to students and universities for College Credit Plus,

removes excused absences from the requirement of a school district's determination for an 'excessively absent' student, and requires each school district to complete and file a "Consolidated School Mandate Report" by November 30th every year with ODE.

SB 216 is pending in the Education and Career Readiness Committee.

Senate Bill 220  
SB 220 provides an incentive for businesses to achieve a higher level of cybersecurity through voluntary action. It creates an affirmative defense to a tort action against a covered entity because of a data breach if the entity is accused of failing to

implement reasonable information security controls and the entity has a cybersecurity program that meets the bill's requirements. “Covered entity” is defined as a business or nonprofit entity, including a financial institution, that accesses, maintains, communicates or handles personal information or restricted information.

The bill requires the covered entity to create, maintain, and comply with a written cybersecurity program in order to be eligible for the affirmative defense. Attorney General Mike DeWine, the Ohio Chamber of Commerce, Nationwide, NFIB, Lunarline, and XLN Systems were proponents in the Senate. It is

expected that the trial attorneys will oppose the bill in the House. The bill is pending in GAO committee. SB 220 passed the Senate 24-8 (party line).

**Senate Bill 221**  
Sub. SB 221 looks to enhance Ohio's rulemaking process by not allowing informal policymaking by state agencies. This change will make the impact of agency rules more transparent. Sub. SB 221 would allow the Joint Committee on Agency Rule Review (JCARR) to call any agency that improperly establishes rule through policy rather than the formal process. It would also allow the committee to vote to make the agency write a formal rule in lieu

of the informal policy. Other provisions in the bill pertain to a self-examination process, inaction on rules that agencies were statutorily required to propose, and JCARR's ability to review rules between a 5-year rule review period.

Sub. SB 221 passed the Senate 30-3 and is supported by JCARR, NFIB, Ohio Chamber, Ohio Association of Goodwill Industries, and the Small Business Consultants of Ohio.

Senate Bill 239  
SB 239 requires the regional council of governments' (COG) officers—upon forming a COG and before taking an official action—to notify the Auditor of State of its

formation. Records containing the names of political subdivisions that are members of a COG or names of representatives from those political subdivisions who serve on the COG are public records. COG officials and employees are subject to the Ethics Law under this bill. Under current law, a COG is sometimes formed in order to perform any number of functions, including studying governmental problems in a region, carrying out regional development projects, and pooling government resources to provide services. SB 239 is pending in State and Local Government Committee. To date, the bill is supported by Auditor Yost, OML, and the Ohio

News Media Association. The bill passed the Senate 33-0.

### Senate Bill 299

SB 299 provides \$23.5 million in additional GRF funding and \$12.7 million in additional capital funding for programs that support the protection and preservation of Lake Erie and its tributaries. The additional operating budget funding will go to the Department of Agriculture for soil and water conservation districts in the Lake Erie Basin and to the Soil and Water Phosphorus Program, which the bill creates. Additionally, the Department of Higher Education is provided new capital funding that will be given to the Ohio Sea Grant Program to build

new laboratory space at the Stone Laboratory and buy in-lake monitoring equipment.

SB 299 is the companion bill to HB 643 (Arndt, Patterson), which was reported out of Finance Committee unanimously. The only difference between the two bills is that HB 643 states that no more than 40 percent of the money in the phosphorus program can be used for one activity.

**From:** Ronald Young  
**Sent:** Monday, June 25, 2018 10:00 AM  
**To:** William Reineke  
**Subject:** Re: whip list for 6 27 2018

Bill, Is 189 expected on the floor this week?  
Ron

Sent from my iPhone

On Jun 22, 2018, at 5:04 PM, Ronald Young <[ronaldeyoung974@gmail.com](mailto:ronaldeyoung974@gmail.com)> wrote:

Ed,  
HB189 is a non-starter. It hurts Ohio and the cosmetology industry. I cannot support it in its current form. On everything else I'm 99% there.  
Ron

Sent from Mail for Windows 10

**From:** William Reineke  
**Sent:** Friday, June 22, 2018 3:38 PM  
**To:** Ronald Young  
**Subject:** FW: whip list for 6 27 2018

Hi Ron,

Please advise!

Thanks, Bill

Bill Reineke  
State Representative, 88<sup>th</sup> District  
c) 419 934 7387

Tuesday, June 26, 2018  
Caucus 7:00 – 9:00 PM

Wednesday, June 27, 2018  
Caucus 10:00 – 11:00 AM  
Session: 11:00 AM

### Bills for Third Consideration

- House Bill 7 – Rep. Cupp – Reported out of Civil Justice (11-2, Dever)
  - o Address medical claims and provider immunities
- House Bill 51 ¶ 3 Rep. Faber – Reported out of State and Local Government (8-6, Anielski, Arndt)
  - o Review and sunset cabinet departments
- House Bill 92 – Rep. Schaffer – Reported out of Criminal Justice (13-0)
  - o Require public indecency before minors offenders to register
- ¶ 2 House Bill 156 – Rep. Schuring – Reported out of Insurance (11-0)
  - o Address vision care insurance limits
- House Bill 189 – Rep. Roegner, Reece – Reported out of Government Accountability and Oversight (10-4, party line)
  - o Change Cosmetology Licensing Law
- House Bill 211 – Rep. Hughes – Reported out of Economic Development, Commerce, and Labor (12-2, Hood, Dean)
  - o License home inspectors
- House Bill 240 – Rep. Barnes – Reported out of Higher Education and Workforce Development (12-0)
  - o Require state higher ed to adopt sex offense policies
- House Bill 293 – Rep. Scherer, Sheehy – Reported out of Transportation and Public Safety (11-3, Manning)
  - o Alter time periods pertaining to new drivers
- House Bill 349 – Reps. LaTourette – Reported out of Criminal Justice (13-0)
  - o Increase and expand crime of assaulting a police animal

- = 2 House Bill 355 – Reps. Hill, Rezabek – Reported out of Criminal Justice (13-0)
  - o Prohibits sexting if under 21 but allows diversion from penalty
  - House Bill 371 – Rep. Merrin – Reported out of Ways and Means (15-3, Green, Hambley)
  - o Exempt increased value of subdivided land until building starts
  - House Bill 386 † 3 Reps. Henne, Kelly – Reported out of FHUD (12-0)
  - o Modify credit reporting agency fees for a credit report freeze
  - House Bill 394 – Rep. Rezabek – Reported out of Criminal Justice (10-3, Butler, Cupp, Hughes)
  - o Revise juvenile procedures
  - House Bill 425 = 2 Reps. Antani, Craig – Reported out of Government Accountability and Oversight (12-0)
  - o Declare police body camera recordings not to be public records
  - House Bill 469 – Reps. Schuring, Patton – Reported out of Government Accountability and Oversight (12-0)
  - o Grant tax credit for transformational mixed use development
  - House Bill 479 – Reps. Lipps, West – Reported out of Government Accountability and Oversight (12-0)
  - o Disclose drug price information to patients
  - House Bill 480 – Rep. Hill – Reported out of Civil Justice (11-0)
  - o Establish requirements for multi-parcel auctions
  - House Bill 497 – Reps. Rogers, Manning – Reported out of Community and Family Advancement (13-1, Vitale)
  - o Prohibit disseminating private sexual images
- † 2 House Bill 500 – Rep. Carfagna – Reported out of State and Local Government (14-0)
  - o Change township law
- House Bill 502 – Rep. Anielski – Reported out of Education and Career Readiness (19-0)
  - o Train public school educators about youth suicide

- House Bill 504 – Rep. Pelanda – Reported out of Economic Development, Commerce, and Labor (10-1, Dean)
  - o Regards interior designers
- House Bill 511 – Reps. Lanese, Rogers – Reported out of Community and Family Advancement (11-0)
  - o Change age at which can marry
- = 2 House Bill 540 – Reps. Gavarone, Manning – Reported out of Education and Career Readiness (17-2, Hood)
  - o Regards teacher evaluations
- House Bill 543 – Reps. Perales, Hambley – Reported out of State and Local Government (11-0)
  - o Allow prosecutor to contract to give outside legal advice
- House Bill 551 -- Reps. Perales, Romanchuk – Pending in Economic Development, Commerce and Labor
  - o Regarding hazardous occupations prohibited for minors and providing training to certain minors employed in a construction or manufacturing occupation
- House Bill 557 – Rep. Anielski – Reported out of Health (13-3, Butler, Merrin, Romanchuk)
  - o License and regulate art therapists
- House Bill 572 – Reps. Scherer, Howse – Reported out of Aging and Long-Term Care (11-0)
  - o Regards PERS service credit for nonteaching DD board employees
- House Bill 595 – Reps. Cupp, Rezabek – Reported out of Civil Justice (12-0)
  - o Revise law of wills, trusts, and suspicious deaths
- Senate Bill 66 – Sens. Eklund, Tavares – Reported out of Criminal Justice (13-0)
  - o Modify criminal sentencing and corrections law
- Senate Bill 81 – Sen. Terhar – Reported out of Armed Services, Veterans Affairs, and Homeland Security (10-1)
  - o Revise licensing rules for military personnel concealed carry
- Senate Bill 127 – Sen. LaRose – Reported out of Government Accountability and Oversight (10-0)

- o      Require actions when driver approaches waste collection vehicle
  - Senate Bill 216 – Sen. Huffman – Pending in Education and Career Readiness
- o      To enact the "Ohio Public School Deregulation Act" regarding the administration of preschool and primary and secondary education programs
  - Senate Bill 220 – Sens. Hackett, Bacon – Pending in Government Accountability and Oversight
- o      To provide a legal safe harbor to covered entities that implement a specified cybersecurity program
  - Senate Bill 221 – Sen. Uecker – Pending in Government Accountability and Oversight
- o      To reform agency rule-making and legislative review thereof
  - Senate Bill 239 -- Sen. Dolan ↗ 0 Pending in State and Local Government
- o      To modify the law concerning regional councils of governments
  - Senate Bill 299 – Sen. Gardner – Pending in Finance
- o      To allow equipment for the protection and preservation of Lake Erie to be purchased with proceeds from the Parks and Recreation Improvement Fund, and to appropriate funds for projects enhancing water quality in the Western Lake Erie Basin

#### House Bill 7

HB 7 addresses several areas of tort law, primarily in regards to medical malpractice litigation. The bill codifies the Ohio Supreme Court's recent medical malpractice "apology" holding by expressly stating in the statute that an apology may include a statement that includes an admission of error or fault. The bill also permits notice of a lawsuit to be provided by certified mail (as opposed to personal service, which can be awkward for all parties). To help minimize the inclusion of non-liable medical providers in a lawsuit, the bill establishes an optional alternative process, allowing for a more targeted approach without diminishing or enlarging the time within which the lawsuit must be filed under current law.

Additionally, HB 7 prohibits the use of insurer payment policies and guidelines—including those of government payers—to establish the standard of care required of medical providers for tort liability purposes. The bill permits peer review of information shared with regulators, but also clarifies that disclosing the peer review information to a regulator does not otherwise affect the confidentiality of the information. The bill provides protection for certain providers/hospitals concerning good faith failure to discharge and discharge. Of final note, in the event that an epidemic or a natural, technological, or man-made disaster overwhelms emergency care providers, the bill provides for an alternative standard of liability for emergency care providers to encourage them to still provide needed medical care in such situations.

HB 7 is supported by the Ohio State Medical Association and the American College of Emergency Physicians, but opposed by the Ohio Association for Justice. The bill was reported by the Civil Justice Committee 11-2 with Rep. Dever voting “no.”

#### House Bill 51

HB 51 establishes a procedure for the General Assembly to periodically review cabinet departments and establishes a schedule for departments that are not renewed to cease operation. The bill also modifies the schedule of performance audits conducted by the Auditor of State to coincide with the periodic review of departments.

The bill requires the Senate President and House Speaker to direct standing committees to hold hearings to evaluate departments within the first three months after a general assembly begins.

HB 51 is supported by Americans for Prosperity and opposed by Service Employees International Union (SEIU), Ohio Civil Service Employees Association (OCSEA), and Policy Matters Ohio. The bill was reported out of State and Local Government Committee 8-6 (Anielski, Arndt).

#### House Bill 92

HB 92 requires an offender who knowingly commits public indecency for the purpose of sexual arousal or gratification, and who is likely to be viewed by minors, to register as a Tier I sex offender/child-victim offender (lowest level), which means they will be required to register annually. The substitute bill allows for judicial discretion for first-time offenders.

HB 92 is supported by the Baltimore Police Department, but opposed by the Office of the Public Defender and ACLU of Ohio. The bill was unanimously reported by the Criminal Justice Committee.

#### **House Bill 156**

HB 156 prohibits insurers from requiring vision care providers to charge a fee set by the insurer for vision care services and materials that the insurer does not even cover. The bill allows the provider to opt-in to the insurer's fee schedule, but clarifies that whether or not the insurer contracts with the provider cannot be contingent upon the provider accepting the insurer's fee schedule for non-covered services

Additionally, HB 156 requires both the provider and insurer to disclose certain things to the patient so the patient can make informed choices when shopping for vision care materials and services. The bill also prohibits the repeated failure to disclose the required info and subjects the insurer or provider to potential discipline from the licensing board or ODI, whichever is applicable.

Providers have brought concerns that they are being forced to cap the amount they charge for non-covered services (such as a second pair of glasses) so that the insurer can provide an additional benefit to the enrollee without having to pay for it. Additionally, the optometrists argue that they often are required to obtain the vision care materials from vendors that are partially owned by the insurers. The insurers argue that the provider does not have to sign the contract with them, but they often do because they provide the benefit of funneling covered enrollees to the provider which outweighs any harm imposed by capping the fees charged for non-covered services. A compromise was made that got the National Association of Vision Plans to be proponents. The Ohio Association of Health Plans, however, still oppose the bill.

HB 156 is supported by the National Association of Vision Care Plans and the Ohio Optometric Association, but is opposed by the Ohio Associations of Health Plans and other insurance groups. HB 156 was reported by the Insurance Committee unanimously.

#### **House Bill 189**

HB 189 reduces the required hours of initial instruction to earn a cosmetology license from 1,500 to 1,000; for a cosmetology license where the applicant is a licensed barber from 1,000 to 400; for a hair designer license from 1,200 to 800; and for a hair designer license where the applicant is a licensed barber from 1,000 to 200. It also eliminates advance level licenses for cosmetologists, estheticians, hair designers, manicurists, and natural hair stylists.

In addition, the bill 1.) eliminates the natural hair stylist license, 2.) converts an independent contractor license to an independent contractor registry, 3.) revises boutique services provider registrations, 4.) changes the State Cosmetology and Barber Board membership and duties, 5.) requires the Board to adopt rules to establish an apprentice cosmetology program (who are not licensed but are training in cosmetology under a person holding a practice or instructor's license), 6.) allows distance education to meet education and continuing education requirements under the Cosmetology Law & requires the Board to adopt rules, 7.) modifies reciprocity and licenses, 8.) creates a licensure process by endorsement, 9.) alters instructor license requirements, 10.) changes cosmetology licensure examination requirements, and 10.) makes changes regarding cleaning standards and infection control.

The bill is supported by the NFIB, the Ohio Chamber of Commerce, Ohio Salon Association, The Charles Penzone Salons, SportClips, Great Clips, and Professional Beauty Association. The bill is opposed by the Ohio Association of Cosmetology Schools, Wezlynn VanDyke Davis, Nancy Brown from Brown Aveda Institute, and other individual cosmetologists and small salons. The Buckeye Institute is an interested party to the legislation. The bill passed GAO 10-4 (party line).

#### House Bill 211

HB 211 would require the licensure of home inspectors and creates the Ohio Home Inspector Board. The Home Inspector Board will consist of five members (three appointed by the Governor, one by the Speaker of the House, and one by the Senate President) and will be within the Department of Commerce. Thirty states, including Indiana, Kentucky, Pennsylvania, and West Virginia, require home inspectors to be licensed.

HB 211 is supported by the Ohio Association of Realtors and American Society of Home Inspectors, but opposed by Namistil Home Inspections, HomeSpection Training Institute, Americans for Prosperity. It was reported by the Economic Development, Commerce and Labor Committee 12-2 with Reps. Hood and Dean voting "no."

#### House Bill 240

HB 240 will require each public university and college to adopt a policy regarding dating violence, domestic violence, sexual assault, stalking, and rape on campus, as well as require them to keep a record of all reports of such incidents that they receive. State universities and colleges also have the flexibility to go beyond the minimum federal requirements for such a policy.

There is no state law requiring state universities and colleges to adopt policies as such under HB 240. However, these institutions of higher education are required to adopt such policies under the federal Clery Act and Title IX.

The bill also designates April as “Respect Your Date Month” and contains an emergency clause. HB 240 was reported by the Higher Education and Workforce Development Committee unanimously and has no opponents.

#### **House Bill 293**

HB 293 revises laws pertaining to probationary driver’s licenses and temporary instruction permits.

The bill alters from 16 to 16 ½ the age at which a person is first eligible to obtain a probationary driver’s license. It achieves this by requiring the person to hold a temporary instruction permit for one year before obtaining the probationary license; the temporary permit is valid for 2 ½ years. The bill also revises the restricted time for a person with a temporary permit and probationary license between the hours of 10:00pm and 6:00am.

Lastly, the bill eliminates a court’s authority to order that a parent or guardian accompany a probationary license holder who is under 17 and pleads guilty to, is convicted of, or is adjudicated in juvenile court of having committed a moving violation during the first six months of holding that license.

Under current law, the holder of a temporary permit who is under 18 is prohibited from driving between the hours of 12:00am (midnight) to 6:00am unless accompanied by a parent. The same time restrictions apply to a person who holds a probationary driver’s license.

HB 293 has no opponents. The bill was reported by the Transportation and Public Safety Committee 11-3 with Rep. Manning voting “no.”

#### **House Bill 349**

HB 349 equalizes the penalties for assaulting a search-and-rescue dog or horse to the existing penalties for assaulting a police dog or horse. (These presently range from an M2 for assault to an F3 if the assault caused the death of the animal.) The bill requires volunteers to be certified to train by

a nationally recognized search-and-rescue training organization, program or course.

HB 349 is supported by Miami Valley Mounted Search and Rescue, Midwest K9 Search Unit, and Buckeye Emergency Response Training School. The bill has no opponents. It was unanimously reported by Criminal Justice Committee.

#### House Bill 355

HB 355 was brought in response to a growing dilemma for dealing with juveniles that commit the crime commonly referred as "sexting." Under current law, a prosecutor can generally choose either to not charge them for the offense or to charge them with a felony that could potentially ruin their lives. This bill outlines the crime of "possession of sexually explicit digital material," (referred to in the bill as "sexting"). Only offenders under the age of 19 are eligible for this alternative (M1) charge that allows for mandatory diversion eligibility. Those with prior offenses cannot take part in the diversion program. The substitute bill included language to make clear that prosecutors could charge for a more serious offense if the elements were met and they wished to pursue such a heightened charge.

HB 355 is supported by the Ohio Judicial Conference, but opposed by the Ohio Prosecuting Attorney's Association and the ACLU of Ohio. The bill was unanimously reported by Criminal Justice Committee.

#### House Bill 371

HB 371 exempts from property taxation any increase in taxable value of land subdivided for construction of residences until 1.) construction starts on the residence buildings, 2.) the land is sold, or 3.) eight years have passed, whichever occurs first. Changes made in committee placed an eight-year cap on the exemption.

HB 371 is supported by the Ohio Homebuilders Association and the Ohio Real Estate Investors Association, but opposed by a number of local government groups including the Ohio School Boards Association, the Ohio Municipal League, the Ohio Township Association, the County Commissioners Association. The bill was reported by the Ways & Means Committee 15-3 with Reps. Green and Hambley voting "no."

#### House Bill 386

HB 386 makes a simple change that allows individuals to place a freeze on their credit with the three credit bureaus without having to pay the 5-dollar charge.

Given the recent data breaches with Experian and others, many people may wish to proactively freeze their credit to prevent an identity thief from opening an account in their name. Unless they can show they have been a victim of identity theft, they must pay 5 dollars. While this may not sound like a lot, they have to pay it in order to freeze and unfreeze their credit. For example, if a family of four wanted to do this, it could cost \$60 just to freeze their credit and another \$60 when they wished to unfreeze it. Removing this fee helps consumers protect their credit.

The lone opponent to HB 386 is the Consumer Data Industry Association. The bill was reported by the Financial Institutions, Housing, and Urban Development Committee unanimously.

#### **House Bill 394**

HB 394 addresses a number of pressing issues in juvenile court. The bill maintains mandatory bind-overs (to adult court) for children charged with aggravated murder if the child was 16 or 17 years old at the time of the crime. However, all other bind-overs are discretionary. This structure generally allows a judge to consider the circumstances around the crime rather than automatically binding them to be tried in adult court.

The bill also prohibits sentencing an offender to life imprisonment without parole for an offense that was committed when the offender was under age 18. It establishes a review mechanism for offenders in certain circumstances who receive, or have received, a definite sentence of more than 18 years or an indefinite sentence for a crime committed before turning 18. The goal of these provisions is to recognize the developmental handicaps of children in a constitutionally sound way.

HB 394 is supported by the Juvenile Justice Coalition, Ohio Judicial Conference, Office of the Ohio Public Defender, and other organizations, but opposed by the Ohio Prosecuting Attorneys Association and Ohio Crime Victim Justice Center. The bill was reported by the Criminal Justice Committee 10-3 with Reps. Butler, Cupp, and Hughes voting "no."

#### **House Bill 425**

HB 425 specifies when body camera and dashboard camera recordings are public records. If either type of recording shows the death of a person, grievous bodily harm, an act of severe violence, or a nude body, the bill allows for the person shown in the recording to consent to its release only if the recording is not a confidential law enforcement investigatory record. Provisions in the bill also protect the identity of a child in these recordings. The bill allows for court action to request the release of

restricted portions of these video recordings. Lastly, the bill specifies that a public school infrastructure record is not a public record.

The bill is supported by George Speaks, City of Columbus Public Safety Department, the ACLU of Ohio, and the Ohio News Media Association. It has no opponents. The bill passed GAO committee by a vote of 12-0.

#### House Bill 469

HB 469 authorizes a nonrefundable insurance company tax credit for contributions of capital for the construction of transformational mixed use development (TMUDs) projects. TMUDs are defined under the bill as multi-purpose developments that include at least one large building (either 15 or more stories high or 350,000 or more square feet in floor area) and that are expected to have a “transformational economic impact” on the surrounding area.

The credit is 10 percent of the documented development costs, and it permits unclaimed credit to be carried over for five years. It may be claimed against the state’s taxes on foreign and domestic insurance companies. The Director of Development Services (DSA) awards the credit through an application process initiated by the property owner if the estimated development costs to complete the project exceed \$50 million. The bill requires an insurance company that intends to claim the credit to purchase the right to claim the credit from the property owner. LSC estimates that each such project would result in GRF revenue loss of \$5 million or more. Also, the number of projects that may be approved is undetermined under the bill.

The bill is supported by Steve Coven from Robert L. Stark Enterprises, Ohio Municipal League, and the Ohio Chamber of Commerce. The bill does not have any opponents. It was reported by GAO 12-0.

#### House Bill 479

HB 479 reduces the administrative burden placed on pharmacists by Pharmacy Benefit Managers (PBMs), which act as third-party intermediaries between pharmacies and insurers. The bill prohibits health insurers and third-party intermediaries from requiring, or directing pharmacies to collect, cost-sharing beyond a certain amount from individuals purchasing prescription drugs.

HB 479 also prohibits issuers and administrators from retroactively adjusting pharmacy claims except when it is a result of a technical billing error. Issuers and administrators are prohibited from charging claim-related fees unless those fees can be determined at the time of claim adjudication.

Proponents advocate for the bill because it requires that patients are informed of the most affordable option for prescriptions and would limit the amount that a PBM, health plan, or other administrator may charge a patient covered under a prescription benefit plan. Proponents include the Ohio Pharmacists Association, Discount Drug Mart, Equitas Health, Epilepsy Foundation, Alliance for Transparent & Affordable Prescriptions, and the National Multiple Sclerosis Society to name a few.

The bill has no opponents. GAO Committee passed the bill 12-0.

#### **House Bill 480**

HB 480 clarifies that the common practice of multi-parcel auctions are recognized in Ohio law. Current law generally governs three types of auctions: absolute, reserve, and estate auctions. The bill adds a multi-parcel auction as a new type of auction subject to regulation by the Department of Agriculture. A multi-parcel auction is any auction of real or personal property in which multiple parcels or lots are offered for sale in various amalgamations, including as individual parcels or lots, combinations of parcels or lots, and all parcels or lots as a whole. This method allows auctioneers to offer a variety of assets by an individual parcel, group of parcels, or as a whole to maximize value.

HB 480 is supported by the Ohio Auctioneers Association and has no opponents. The bill was unanimously reported by the Civil Justice Committee.

#### **House Bill 497**

HB 497 aims to protect Ohioans from “revenge porn.” The bill makes it a first degree misdemeanor to disseminate private sexual images with intent to harm the individual in the image and adds possible felony offenses for subsequent violations. The bill also creates a third degree misdemeanor when harmful material is transmitted to juveniles if certain conditions are met.

Additionally, HB 497 creates a civil action that the victim may file against the offender, including a possible TRO, compensatory damages, punitive damages, reasonable attorney’s fees, and cost of bringing the action.

HB 497 prohibits an institution of higher learning from disciplining or showing bias in awarding financial assistance to a victim of this bill and prohibits licensing agencies or boards from refusing to issue a license or disciplining a victim of this bill.

This bill was amended in committee to remove provisions related to employers, which moved the Ohio Chamber and other business groups to neutral. The bill was reported by the Community and Family Advancement Committee 13-1 with Rep. Vitale voting "no."

#### House Bill 500

HB 500 provides additional authority to townships in a variety of areas. It allows a municipality, in addition to a township under the bill, to levy a tax for any combination of the following purposes: 1.) acquiring, constructing, or maintaining buildings and equipment for police, fire, and emergency medical services, 2.) constructing or repairing roads and bridges, and 3.) general infrastructure improvements.

A county would be permitted to levy a tax for any combination of the following expenses: 1.) constructing and repairing roads and bridges, 2.) maintaining and operating a county home, jail, detention facility, or sewage disposal facility, 3.) funding the county's share of the cost of operating schools, detention facilities, and forestry camps, 4.) preparing for flood defense, 5.) constructing and maintaining drainage improvements, 6.) establishing and operating a 9-1-1 system, 7.) acquiring, constructing, and maintaining county facilities, and 8.) acquiring or improving land. The bill allows political subdivisions to electronically certify to the board of elections a question or issue to be placed on the ballot.

The bill is supported by the Ohio Townships Association and was opposed in committee by the Ohio Fire Chief's Association. Their concerns were removed from the bill. The bill passed State and Local Government Committee 14-0.

#### House Bill 502

HB 502 would require public school employees to undergo training in youth suicide awareness and prevention programs once every two years, as part of in-service training.

Current law already requires that public schools incorporate training in youth suicide awareness and prevention through in-service training, but does not specify frequency.

In addition to youth suicide and prevention programs, school employees currently must attend at least four hours of in-service training in the prevention of child abuse, substance abuse, violence, harassment,

intimidation, and bullying, and the promotion of positive youth development every five years after their initial two years of employment with the district or center.

HB 502 was reported by the Education and Career Readiness Committee unanimously and has no opponents.

#### House Bill 504

Current law prohibits interior designers from submitting commercial building plans to obtain a building permit without the seal of an architect or engineer. HB 504 removes this barrier by allowing certified interior designers to submit plans. To qualify to submit plans independently, interior designers must be certified by the newly created Ohio Interior Design Examiners Board.

This bill is completely permissive. One can still operate as an interior designer, however, without proper certification, interior designers would need to have an architect or engineer sign off on the building plans. Passage of this legislation will allow for construction work to begin more quickly because of fewer bureaucratic hurdles to interior designers.

HB 504 is supported by Associated Builders and Contractors and American Society of Interior Designers, but opposed by the American Institute of Architects of Ohio. The bill was reported by the Economic Development, Commerce, and Labor Committee 10-1 with Rep. Dean voting "no."

#### House Bill 511

HB 511 standardizes the age at which a person can get married. The bill prohibits minors from getting married unless they are emancipated and 17 years old. It requires proof of age when seeking a marriage license and imposes a 14-day waiting period on licenses for 17-year-olds. The bill also prohibits a 17-year-old from marrying someone more than four years older than him or her.

Current law allows males to get married when they are 18 and females when they are 16. A juvenile court can also consent to allow a couple to get married younger than the minimum age when the female is pregnant and intends to have the child. For example, in 2002 a Gallia County judge granted consent for a 14-year-old pregnant girl to marry the 48-year-old father. While these cases are rare, they are allowable under Ohio law, and proponents of the bill argue that the current law provides a high risk of abuse and exploitation of minors.

**HB 511 was reported by the Community and Family Advancement Committee unanimously and has no opponents.**

**House Bill 540**

HB 540 revises the Ohio Teacher Evaluation System (OTES). The bill requires the Department of Education to revise the state framework for teacher and administrator evaluations, based on the recommendations of the Educator Standards Board, and to submit a summary of its revisions to the State Board of Education for review. The bill also requires the State Board to adopt the revised framework by May 1, 2019, and requires school districts to update their teacher evaluation policies by July 1, 2019.

HB 540 makes several changes to the specifications for the revised framework and does not take effect until the 2020-2021 school year.

HB 540 is supported by the Ohio Education Association and the Ohio Educator Standards Board and has no opponents. The bill was reported by the Education and Career Readiness Committee 17-2 with Rep. Hood voting "no."

**House Bill 543**

HB 543 authorizes a county prosecuting attorney, in the attorney's discretion and with the approval of the board of county commissioners, to enter into a contract with a regional airport authority, port authority, or regional planning commission to be its legal adviser. The county prosecuting attorney would also be permitted to charge a fee for legal services agreed to under the contract.

The bill was supported in committee by the Ohio Association of Regional Councils, the Ohio Aviation Association, the Dayton International Airport, and the Allen County Regional Airport Authority. The bill has no opponents and was reported 11-0.

**House Bill 551**

Currently there is low participation from 16- and 17-year-olds in both construction and manufacturing fields. HB 551 would encourage participation by allowing 16- and 17-year-olds to be hired in construction and manufacturing and permitting them to use a limited number of power tools after taking federally approved safety classes.

Employers would provide training to youth prior to operation of power tools to ensure the highest level of safety. The legislation would open up

opportunities for youth exposure to these fields of employment, possibly leading to greater participation in the future.

HB 551 is supported by NFIB, Ohio Manufacturers' Association, and Associated Builders and Contractors. It is pending in Economic Development, Commerce, and Labor.

#### House Bill 557

HB 557 licenses and regulates the practice of art therapy, which is currently not recognized under Ohio law. The bill states that the Counselor, Social Worker, and Marriage and Family Therapist Board will regulate and adopt rules for art therapists.

Art therapists claim they have been practicing at the national level and in Ohio, but are not regulated as their own classification of medical professional. Opponents argue that creation of the title art therapist is unnecessary and inappropriate. The bill was amended to appease opponents by removing an art therapist's ability to "diagnose." While this helped, none of the opponents have changed their stance.

HB 557 is supported by the Buckeye Art Therapy Association, American Art Therapy Association, Cleveland Clinic, and others, but opposed by the Ohio Speech and Hearing Governmental Affairs Coalition, Ohio Occupational Therapists Association, and Ohio Counseling Association. The bill was reported by the Health Committee 13-3 with Reps. Butler, Merrin, and Romanchuk voting "no."

#### House Bill 572

HB 572 aims to help correct a situation mainly affecting the developmental disabilities population.

The bill would require OPERS to grant a full year of service credit to a PERS member employed as a nonteaching school employee of a county board of developmental disabilities if the member performs full-time services in the position for at least nine months and is paid earnable salary in each month of that year. This member must meet the conditions as prescribed under the bill in order to receive the full service credit.

The bill also opens a 90-day window for each eligible county board of developmental disabilities, in working through the county auditor, to report to OPERS the member's name and any additional information required by PERS in the form they require.

Current law grants a full year of service credit to an SERS member who is employed by a SERS-covered employer on a full-time basis for nine or more months of service within a year.

HB 572 was reported by the Aging and Long-Term Committee unanimously and has no opponents.

#### House Bill 595

HB 595 is another “probate omnibus” bill that includes several additional changes to make Ohio’s probate law more efficient, fair, and updated. The bill expands Ohio’s “Slayer Statute” by generally disqualifying a person convicted of involuntary manslaughter from in any way benefitting from the death of the victim of that offense.

The bill also responds to a desire to allow individuals to pass on knowing their estate instruments are valid and mechanisms exist to ensure that private details of their lives can be kept private in a post-mortem dispute. Specifically, the bill makes clear that provisions mandating arbitration in trust disputes are generally enforceable, creates a procedure for determining the validity of a trust prior to the death of the testator, and generally prohibits a person from contesting the validity of any trust as to facts a probate court decided were valid during the testator’s lifetime.

The bill also allows for the personal representative of a decedent to file an application with the probate court to release the decedent’s medical records for the limited purpose of deciding whether to file a wrongful death claim, rather than having to open an estate for that limited purpose. The bill also contains provisions relating to the incorporation of trusts in wills and specifies that the exception to the anti-lapse provisions for wills and trusts only apply to multigenerational class gifts.

HB 595 is supported by the Ohio Judicial Conference and the Ohio State Bar Association. The bill has no opponents. It was unanimously reported by the Civil Justice Committee.

#### Senate Bill 66

SB 66 makes numerous “smart on crime” changes to Ohio’s criminal justice system. The bill adds promotion of the effective rehabilitation of an offender to the overriding purposes of felony sentencing. It removes the mandatory one-year minimum that currently applies when a court sentences an offender to a community control sanction for a fourth- or fifth-degree felony under the presumption for such a sanction. This change

allows a sentencing court to tailor a sentence to the needs of the individual so they can be more effectively rehabilitated.

The bill modifies how a sentencing court calculates the confinement credit by which the prison term for a felony must be reduced, and it allows a court to impose a new term of up to six months in jail as a penalty for a violation of a community control sanction.

Other key provisions in the bill deal with allowing people to get their lives back on track so they can be productive members of society. Key to these are provisions that: 1.) modify the criteria that a person must satisfy to be eligible for intervention in lieu of conviction, 2.) expand pretrial diversion eligibility with prosecutorial consent, and, 3.) expand the categories of offenders who are “eligible offenders” for purposes of Ohio’s Conviction Record Sealing Law.

SB 66 is supported by ODRC, Ohio Judicial Conference, and others. The bill has no opponents. It passed the Senate 32-0 and was unanimously reported by the House Criminal Justice Committee.

#### Senate Bill 81

Current law only allows a retired or honorably discharged veteran to apply for a concealed carry license with documentation of proof of training for up to 10 years after separation from the military. SB 81 would remove this time limit. This legislation removes concealed carry license fees for veterans unless waived fees in a year amount to \$1.5 million. The window will close until the start of next year if the limit is reached. The Attorney General will track waived fees and report to sheriffs when the window is closed.

SB 81 also permits a current veteran CHL holder to renew the license before expiration. This is already allowed for ordinary Ohio citizens and brings veterans with a CHL into that same group.

SB 81 is supported by AMVETS and has no opponents. It was reported out of Armed Services, Veterans Affairs, and Homeland Security 10-1.

#### Senate Bill 127

Am. S.B. 127 requires drivers to move over or reduce their speed for stationary waste collection vehicles with flashing lights. The bill also allows waste collection vehicles (trash, garbage, refuse, or recyclables) to use flashing lights. The bill was supported by the Solid Waste Association of North America and Rumpke and did not have any opponents in House Government Accountability and Oversight. The bill was reported 10-0.

### **Senate Bill 216**

**SB 216 aims to deregulate burdensome policies affecting public school districts across the state and enact other education-related policies.**

**SB 216 revises the Ohio Teacher Evaluation System (OTES) as recommended by the Ohio Educator Standards Board and compromised by various stakeholders.**

The bill also revises educator licensure and employment, including grade bands, licensure in Early College High Schools, career-tech licensure, substitute teacher licensure, and gifted services professional development.

Lastly, SB 216 revises textbook costs to students and universities for College Credit Plus, removes excused absences from the requirement of a school district's determination for an 'excessively absent' student, and requires each school district to complete and file a "Consolidated School Mandate Report" by November 30th every year with ODE.

**SB 216 is pending in the Education and Career Readiness Committee.**

### **Senate Bill 220**

**SB 220 provides an incentive for businesses to achieve a higher level of cybersecurity through voluntary action. It creates an affirmative defense to a tort action against a covered entity because of a data breach if the entity is accused of failing to implement reasonable information security controls and the entity has a cybersecurity program that meets the bill's requirements. "Covered entity" is defined as a business or nonprofit entity, including a financial institution, that accesses, maintains, communicates or handles personal information or restricted information.**

The bill requires the covered entity to create, maintain, and comply with a written cybersecurity program in order to be eligible for the affirmative defense. Attorney General Mike DeWine, the Ohio Chamber of Commerce, Nationwide, NFIB, Lunarline, and XLN Systems were proponents in the Senate. It is expected that the trial attorneys will oppose the bill in the House. The bill is pending in GAO committee. SB 220 passed the Senate 24-8 (party line).

### **Senate Bill 221**

Sub. SB 221 looks to enhance Ohio's rulemaking process by not allowing informal policymaking by state agencies. This change will make the impact of agency rules more transparent. Sub. SB 221 would allow the Joint Committee on Agency Rule Review (JCARR) to call any agency that improperly establishes rule through policy rather than the formal process. It would also allow the committee to vote to make the agency write a formal rule in lieu of the informal policy. Other provisions in the bill pertain to a self-examination process, inaction on rules that agencies were statutorily required to propose, and JCARR's ability to review rules between a 5-year rule review period.

Sub. SB 221 passed the Senate 30-3 and is supported by JCARR, NFIB, Ohio Chamber, Ohio Association of Goodwill Industries, and the Small Business Consultants of Ohio.

### **Senate Bill 239**

SB 239 requires the regional council of governments' (COG) officers—upon forming a COG and before taking an official action—to notify the Auditor of State of its formation. Records containing the names of political subdivisions that are members of a COG or names of representatives from those political subdivisions who serve on the COG are public records. COG officials and employees are subject to the Ethics Law under this bill. Under current law, a COG is sometimes formed in order to perform any number of functions, including studying governmental problems in a region, carrying out regional development projects, and pooling government resources to provide services. SB 239 is pending in State and Local Government Committee. To date, the bill is supported by Auditor Yost, OML, and the Ohio News Media Association. The bill passed the Senate 33-0.

### **Senate Bill 299**

SB 299 provides \$23.5 million in additional GRF funding and \$12.7 million in additional capital funding for programs that support the protection and preservation of Lake Erie and its tributaries. The additional operating budget funding will go to the Department of Agriculture for soil and water conservation districts in the Lake Erie Basin and to the Soil and Water Phosphorus Program, which the bill creates. Additionally, the Department of Higher Education is provided new capital funding that will be given to the Ohio Sea Grant Program to build new laboratory space at the Stone Laboratory and buy in-lake monitoring equipment.

SB 299 is the companion bill to HB 643 (Arndt, Patterson), which was reported out of Finance Committee unanimously. The only difference

between the two bills is that HB 643 states that no more than 40 percent of the money in the phosphorus program can be used for one activity.

**From:** Darrell Kick  
**Sent:** Monday, June 25, 2018 12:13 AM  
**To:** William Reineke  
**Subject:** Re: FW: whip list for 6 27 2018

Not sure on...

7  
51  
189  
355  
497

No vote on...

293  
371  
394

Yes

92  
156  
211  
240  
349  
386  
425  
469  
479  
480  
500  
502  
504  
511  
540  
543  
551  
557  
572  
595  
SB 66  
SB 81  
SB 127

Thanks Bill

On Fri, Jun 22, 2018, 3:41 PM William Reineke  
<[wiliam.reineke@drivereineke.com](mailto:wiliam.reineke@drivereineke.com)> wrote:

Hi Darrell,

Please advise!

Thanks, Bill

Bill Reineke

State Representative, 88<sup>th</sup> District

c) 419 934 7387

Tuesday, June 26, 2018

Caucus 7:00 – 9:00 PM

Wednesday, June 27, 2018

Caucus 10:00 – 11:00 AM

Session: 11:00 AM

Bills for Third Consideration

- House Bill 7 – Rep. Cupp – Reported out of Civil Justice (11-2, Dever)
  - o Address medical claims and provider immunities
- House Bill 51 – Rep. Faber – Reported out of State and Local Government (8-6, Anielski, Arndt)
  - o Review and sunset cabinet departments
- House Bill 92 – Rep. Schaffer – Reported out of Criminal Justice (13-0)
  - o Require public indecency before minors offenders to register
- House Bill 156 – Rep. Schuring – Reported out of Insurance (11-0)
  - o Address vision care insurance limits
- House Bill 189 – Rep. Roegner, Reece – Reported out of Government Accountability and Oversight (10-4, party line)
  - o Change Cosmetology Licensing Law
- House Bill 211 – Rep. Hughes – Reported out of Economic Development, Commerce, and Labor (12-2, Hood, Dean)

- o License home inspectors
  - House Bill 240 – Rep. Barnes – Reported out of Higher Education and Workforce Development (12-0)
- o Require state higher ed to adopt sex offense policies
  - House Bill 293 – Rep. Scherer, Sheehy – Reported out of Transportation and Public Safety (11-3, Manning)
- o Alter time periods pertaining to new drivers
  - House Bill 349 – Reps. LaTourette – Reported out of Criminal Justice (13-0)
- o Increase and expand crime of assaulting a police animal
  - House Bill 355 – Reps. Hill, Rezabek – Reported out of Criminal Justice (13-0)
- o Prohibits sexting if under 21 but allows diversion from penalty
  - House Bill 371 – Rep. Merrin – Reported out of Ways and Means (15-3, Green, Hambley)
- o Exempt increased value of subdivided land until building starts
  - House Bill 386 – Reps. Henne, Kelly – Reported out of FIHUD (12-0)
- o Modify credit reporting agency fees for a credit report freeze

- House Bill 394 – Rep. Rezabek – Reported out of Criminal Justice (10-3, Butler, Cupp, Hughes)
  - o Revise juvenile procedures
- House Bill 425 – Reps. Antani, Craig – Reported out of Government Accountability and Oversight (12-0)
  - o Declare police body camera recordings not to be public records
- House Bill 469 – Reps. Schuring, Patton – Reported out of Government Accountability and Oversight (12-0)
  - o Grant tax credit for transformational mixed use development
- House Bill 479 – Reps. Lipps, West – Reported out of Government Accountability and Oversight (12-0)
  - o Disclose drug price information to patients
- House Bill 480 – Rep. Hill – Reported out of Civil Justice (11-0)
  - o Establish requirements for multi-parcel auctions
- House Bill 497 – Reps. Rogers, Manning – Reported out of Community and Family Advancement (13-1, Vitale)
  - o Prohibit disseminating private sexual images

- House Bill 500 – Rep. Carfagna – Reported out of State and Local Government (14-0)
  - o Change township law
- House Bill 502 – Rep. Anielski – Reported out of Education and Career Readiness (19-0)
  - o Train public school educators about youth suicide
- House Bill 504 – Rep. Pelanda – Reported out of Economic Development, Commerce, and Labor (10-1, Dean)
  - o Regards interior designers
- House Bill 511 – Reps. Lanese, Rogers – Reported out of Community and Family Advancement (11-0)
  - o Change age at which can marry
- House Bill 540 – Reps. Gavarone, Manning – Reported out of Education and Career Readiness (17-2, Hood)
  - o Regards teacher evaluations
- House Bill 543 – Reps. Perales, Hambley – Reported out of State and Local Government (11-0)
  - o Allow prosecutor to contract to give outside legal advice

- House Bill 551 -- Reps. Perales, Romanchuk – Pending in Economic Development, Commerce and Labor
  - o Regarding hazardous occupations prohibited for minors and providing training to certain minors employed in a construction or manufacturing occupation
- House Bill 557 – Rep. Anielski – Reported out of Health (13-3, Butler, Merrin, Romanchuk)
  - o License and regulate art therapists
- House Bill 572 – Reps. Scherer, Howse – Reported out of Aging and Long-Term Care (11-0)
  - o Regards PERS service credit for nonteaching DD board employees
- House Bill 595 – Reps. Cupp, Rezabek – Reported out of Civil Justice (12-0)
  - o Revise law of wills, trusts, and suspicious deaths
- Senate Bill 66 – Sens. Eklund, Tavares – Reported out of Criminal Justice (13-0)
  - o Modify criminal sentencing and corrections law
- Senate Bill 81 – Sen. Terhar – Reported out of Armed Services, Veterans Affairs, and Homeland Security (10-1)
  - o Revise licensing rules for military personnel concealed carry

- Senate Bill 127 – Sen. LaRose – Reported out of Government Accountability and Oversight (10-0)
  - o Require actions when driver approaches waste collection vehicle
- Senate Bill 216 – Sen. Huffman – Pending in Education and Career Readiness
  - o To enact the "Ohio Public School Deregulation Act" regarding the administration of preschool and primary and secondary education programs
- Senate Bill 220 – Sens. Hackett, Bacon – Pending in Government Accountability and Oversight
  - o To provide a legal safe harbor to covered entities that implement a specified cybersecurity program
- Senate Bill 221 – Sen. Uecker – Pending in Government Accountability and Oversight
  - o To reform agency rule-making and legislative review thereof
- Senate Bill 239 -- Sen. Dolan – Pending in State and Local Government
  - o To modify the law concerning regional councils of governments
- Senate Bill 299 – Sen. Gardner – Pending in Finance
  - o To allow equipment for the protection and preservation of Lake Erie to be purchased with proceeds from the Parks and Recreation Improvement Fund, and to appropriate funds for projects enhancing water quality in the Western Lake Erie Basin

## House Bill 7

HB 7 addresses several areas of tort law, primarily in regards to medical malpractice litigation. The bill codifies the Ohio Supreme Court's recent medical malpractice "apology" holding by expressly stating in the statute that an apology may include a statement that includes an admission of error or fault. The bill also permits notice of a lawsuit to be provided by certified mail (as opposed to personal service, which can be awkward for all parties). To help minimize the inclusion of non-liable medical providers in a lawsuit, the bill establishes an optional alternative process, allowing for a more targeted approach without diminishing or enlarging the time within which the lawsuit must be filed under current law.

Additionally, HB 7 prohibits the use of insurer payment policies and guidelines—including those of government payers—to establish the standard of care required of medical providers for tort liability purposes. The bill permits peer review of information shared with regulators, but also clarifies that disclosing the peer review information to a regulator does not otherwise affect the confidentiality of the information. The bill provides protection for certain providers/hospitals concerning good faith failure to discharge and discharge. Of final note, in the event that an epidemic or a natural, technological, or man-made disaster overwhelms emergency care providers, the bill provides for an alternative standard of liability for emergency care providers to encourage them to still provide needed medical care in such situations.

HB 7 is supported by the Ohio State Medical Association and the American College of Emergency Physicians, but opposed by the Ohio Association for Justice. The bill was reported by the Civil Justice Committee 11-2 with Rep. Dever voting "no."

## House Bill 51

HB 51 establishes a procedure for the General Assembly to periodically review cabinet departments and establishes a schedule for departments that are not renewed

to cease operation. The bill also modifies the schedule of performance audits conducted by the Auditor of State to coincide with the periodic review of departments.

The bill requires the Senate President and House Speaker to direct standing committees to hold hearings to evaluate departments within the first three months after a general assembly begins.

HB 51 is supported by Americans for Prosperity and opposed by Service Employees International Union (SEIU), Ohio Civil Service Employees Association (OCSEA), and Policy Matters Ohio. The bill was reported out of State and Local Government Committee 8-6 (Anielski, Arndt).

#### House Bill 92

HB 92 requires an offender who knowingly commits public indecency for the purpose of sexual arousal or gratification, and who is likely to be viewed by minors, to register as a Tier I sex offender/child-victim offender (lowest level), which means they will be required to register annually. The substitute bill allows for judicial discretion for first-time offenders.

HB 92 is supported by the Baltimore Police Department, but opposed by the Office of the Public Defender and ACLU of Ohio. The bill was unanimously reported by the Criminal Justice Committee.

#### House Bill 156

HB 156 prohibits insurers from requiring vision care providers to charge a fee set by the insurer for vision care services and materials that the insurer does not even cover. The bill allows the provider to opt-in to the insurer's fee schedule, but clarifies that whether or not the insurer contracts with the provider cannot be

contingent upon the provider accepting the insurer's fee schedule for non-covered services

Additionally, HB 156 requires both the provider and insurer to disclose certain things to the patient so the patient can make informed choices when shopping for vision care materials and services. The bill also prohibits the repeated failure to disclose the required info and subjects the insurer or provider to potential discipline from the licensing board or ODI, whichever is applicable.

Providers have brought concerns that they are being forced to cap the amount they charge for non-covered services (such as a second pair of glasses) so that the insurer can provide an additional benefit to the enrollee without having to pay for it. Additionally, the optometrists argue that they often are required to obtain the vision care materials from vendors that are partially owned by the insurers. The insurers argue that the provider does not have to sign the contract with them, but they often do because they provide the benefit of funneling covered enrollees to the provider which outweighs any harm imposed by capping the fees charged for non-covered services. A compromise was made that got the National Association of Vision Plans to be proponents. The Ohio Association of Health Plans, however, still oppose the bill.

HB 156 is supported by the National Association of Vision Care Plans and the Ohio Optometric Association, but is opposed by the Ohio Associations of Health Plans and other insurance groups. HB 156 was reported by the Insurance Committee unanimously.

#### House Bill 189

HB 189 reduces the required hours of initial instruction to earn a cosmetology license from 1,500 to 1,000; for a cosmetology license where the applicant is a licensed barber from 1,000 to 400; for a hair designer license from 1,200 to 800; and for a hair designer license where the applicant is a licensed barber from 1,000 to 200. It also eliminates advance level licenses for cosmetologists, estheticians, hair designers, manicurists, and natural hair stylists.

In addition, the bill 1.) eliminates the natural hair stylist license, 2.) converts an independent contractor license to an independent contractor registry, 3.) revises boutique services provider registrations, 4.) changes the State Cosmetology and Barber Board membership and duties, 5.) requires the Board to adopt rules to establish an apprentice cosmetology program (who are not licensed but are training in cosmetology under a person holding a practice or instructor's license), 6.) allows distance education to meet education and continuing education requirements under the Cosmetology Law & requires the Board to adopt rules, 7.) modifies reciprocity and licenses, 8.) creates a licensure process by endorsement, 9.) alters instructor license requirements, 10.) changes cosmetology licensure examination requirements, and 10.) makes changes regarding cleaning standards and infection control.

The bill is supported by the NFIB, the Ohio Chamber of Commerce, Ohio Salon Association, The Charles Penzone Salons, SportClips, Great Clips, and Professional Beauty Association. The bill is opposed by the Ohio Association of Cosmetology Schools, Wezlynn VanDyke Davis, Nancy Brown from Brown Aveda Institute, and other individual cosmetologists and small salons. The Buckeye Institute is an interested party to the legislation. The bill passed GAO 10-4 (party line).

#### House Bill 211

HB 211 would require the licensure of home inspectors and creates the Ohio Home Inspector Board. The Home Inspector Board will consist of five members (three appointed by the Governor, one by the Speaker of the House, and one by the Senate President) and will be within the Department of Commerce. Thirty states, including Indiana, Kentucky, Pennsylvania, and West Virginia, require home inspectors to be licensed.

HB 211 is supported by the Ohio Association of Realtors and American Society of Home Inspectors, but opposed by Namistil Home Inspections, HomeSpection Training Institute, Americans for Prosperity. It was reported by the Economic Development, Commerce and Labor Committee 12-2 with Reps. Hood and Dean voting "no."

### House Bill 240

HB 240 will require each public university and college to adopt a policy regarding dating violence, domestic violence, sexual assault, stalking, and rape on campus, as well as require them to keep a record of all reports of such incidents that they receive. State universities and colleges also have the flexibility to go beyond the minimum federal requirements for such a policy.

There is no state law requiring state universities and colleges to adopt policies as such under HB 240. However, these institutions of higher education are required to adopt such policies under the federal Clery Act and Title IX.

The bill also designates April as “Respect Your Date Month” and contains an emergency clause. HB 240 was reported by the Higher Education and Workforce Development Committee unanimously and has no opponents.

### House Bill 293

HB 293 revises laws pertaining to probationary driver’s licenses and temporary instruction permits.

The bill alters from 16 to 16 ½ the age at which a person is first eligible to obtain a probationary driver’s license. It achieves this by requiring the person to hold a temporary instruction permit for one year before obtaining the probationary license; the temporary permit is valid for 2 ½ years. The bill also revises the restricted time for a person with a temporary permit and probationary license between the hours of 10:00pm and 6:00am.

Lastly, the bill eliminates a court’s authority to order that a parent or guardian accompany a probationary license holder who is under 17 and pleads guilty to, is

convicted of, or is adjudicated in juvenile court of having committed a moving violation during the first six months of holding that license.

Under current law, the holder of a temporary permit who is under 18 is prohibited from driving between the hours of 12:00am (midnight) to 6:00am unless accompanied by a parent. The same time restrictions apply to a person who holds a probationary driver's license.

HB 293 has no opponents. The bill was reported by the Transportation and Public Safety Committee 11-3 with Rep. Manning voting "no."

#### House Bill 349

HB 349 equalizes the penalties for assaulting a search-and-rescue dog or horse to the existing penalties for assaulting a police dog or horse. (These presently range from an M2 for assault to an F3 if the assault caused the death of the animal.) The bill requires volunteers to be certified to train by a nationally recognized search-and-rescue training organization, program or course.

HB 349 is supported by Miami Valley Mounted Search and Rescue, Midwest K9 Search Unit, and Buckeye Emergency Response Training School. The bill has no opponents. It was unanimously reported by Criminal Justice Committee.

#### House Bill 355

HB 355 was brought in response to a growing dilemma for dealing with juveniles that commit the crime commonly referred as "sexting." Under current law, a prosecutor can generally choose either to not charge them for the offense or to charge them with a felony that could potentially ruin their lives. This bill outlines the crime of "possession of sexually explicit digital material," (referred to in the bill as "sexting"). Only offenders under the age of 19 are eligible for this alternative (M1) charge that allows for mandatory diversion eligibility. Those with prior

offenses cannot take part in the diversion program. The substitute bill included language to make clear that prosecutors could charge for a more serious offense if the elements were met and they wished to pursue such a heightened charge.

HB 355 is supported by the Ohio Judicial Conference, but opposed by the Ohio Prosecuting Attorney's Association and the ACLU of Ohio. The bill was unanimously reported by Criminal Justice Committee.

#### House Bill 371

HB 371 exempts from property taxation any increase in taxable value of land subdivided for construction of residences until 1.) construction starts on the residence buildings, 2.) the land is sold, or 3.) eight years have passed, whichever occurs first. Changes made in committee placed an eight-year cap on the exemption.

HB 371 is supported by the Ohio Homebuilders Association and the Ohio Real Estate Investors Association, but opposed by a number of local government groups including the Ohio School Boards Association, the Ohio Municipal League, the Ohio Township Association, the County Commissioners Association. The bill was reported by the Ways & Means Committee 15-3 with Reps. Green and Hambley voting "no."

#### House Bill 386

HB 386 makes a simple change that allows individuals to place a freeze on their credit with the three credit bureaus without having to pay the 5-dollar charge.

Given the recent data breaches with Experian and others, many people may wish to proactively freeze their credit to prevent an identity thief from opening an account in their name. Unless they can show they have been a victim of identity theft, they must pay 5 dollars. While this may not sound like a lot, they have to pay it in order to freeze and unfreeze their credit. For example, if a family of four wanted to do

this, it could cost \$60 just to freeze their credit and another \$60 when they wished to unfreeze it. Removing this fee helps consumers protect their credit.

The lone opponent to HB 386 is the Consumer Data Industry Association. The bill was reported by the Financial Institutions, Housing, and Urban Development Committee unanimously.

#### House Bill 394

HB 394 addresses a number of pressing issues in juvenile court. The bill maintains as mandatory bind-overs (to adult court) for children charged with aggravated murder if the child was 16 or 17 years old at the time of the crime. However, all other bind-overs are discretionary. This structure generally allows a judge to consider the circumstances around the crime rather than automatically binding them to be tried in adult court.

The bill also prohibits sentencing an offender to life imprisonment without parole for an offense that was committed when the offender was under age 18. It establishes a review mechanism for offenders in certain circumstances who receive, or have received, a definite sentence of more than 18 years or an indefinite sentence for a crime committed before turning 18. The goal of these provisions is to recognize the developmental handicaps of children in a constitutionally sound way.

HB 394 is supported by the Juvenile Justice Coalition, Ohio Judicial Conference, Office of the Ohio Public Defender, and other organizations, but opposed by the Ohio Prosecuting Attorneys Association and Ohio Crime Victim Justice Center. The bill was reported by the Criminal Justice Committee 10-3 with Reps. Butler, Cupp, and Hughes voting “no.”

#### House Bill 425

HB 425 specifies when body camera and dashboard camera recordings are public records. If either type of recording shows the death of a person, grievous bodily harm, an act of severe violence, or a nude body, the bill allows for the person shown in the recording to consent to its release only if the recording is not a confidential law enforcement investigatory record. Provisions in the bill also protect the identity of a child in these recordings. The bill allows for court action to request the release of restricted portions of these video recordings. Lastly, the bill specifies that a public school infrastructure record is not a public record.

The bill is supported by George Speaks, City of Columbus Public Safety Department, the ACLU of Ohio, and the Ohio News Media Association. It has no opponents. The bill passed GAO committee by a vote of 12-0.

#### House Bill 469

HB 469 authorizes a nonrefundable insurance company tax credit for contributions of capital for the construction of transformational mixed use development (TMUDs) projects. TMUDs are defined under the bill as multi-purpose developments that include at least one large building (either 15 or more stories high or 350,000 or more square feet in floor area) and that are expected to have a “transformational economic impact” on the surrounding area.

The credit is 10 percent of the documented development costs, and it permits unclaimed credit to be carried over for five years. It may be claimed against the state’s taxes on foreign and domestic insurance companies. The Director of Development Services (DSA) awards the credit through an application process initiated by the property owner if the estimated development costs to complete the project exceed \$50 million. The bill requires an insurance company that intends to claim the credit to purchase the right to claim the credit from the property owner. LSC estimates that each such project would result in GRF revenue loss of \$5 million or more. Also, the number of projects that may be approved is undetermined under the bill.

The bill is supported by Steve Coven from Robert L. Stark Enterprises, Ohio Municipal League, and the Ohio Chamber of Commerce. The bill does not have any opponents. It was reported by GAO 12-0.

#### House Bill 479

HB 479 reduces the administrative burden placed on pharmacists by Pharmacy Benefit Managers (PBMs), which act as third-party intermediaries between pharmacies and insurers. The bill prohibits health insurers and third-party intermediaries from requiring, or directing pharmacies to collect, cost-sharing beyond a certain amount from individuals purchasing prescription drugs.

HB 479 also prohibits issuers and administrators from retroactively adjusting pharmacy claims except when it is a result of a technical billing error. Issuers and administrators are prohibited from charging claim-related fees unless those fees can be determined at the time of claim adjudication.

Proponents advocate for the bill because it requires that patients are informed of the most affordable option for prescriptions and would limit the amount that a PBM, health plan, or other administrator may charge a patient covered under a prescription benefit plan. Proponents include the Ohio Pharmacists Association, Discount Drug Mart, Equitas Health, Epilepsy Foundation, Alliance for Transparent & Affordable Prescriptions, and the National Multiple Sclerosis Society to name a few.

The bill has no opponents. GAO Committee passed the bill 12-0.

#### House Bill 480

HB 480 clarifies that the common practice of multi-parcel auctions are recognized in Ohio law. Current law generally governs three types of auctions: absolute, reserve, and estate auctions. The bill adds a multi-parcel auction as a new type of auction subject to regulation by the Department of Agriculture. A multi-parcel auction is

any auction of real or personal property in which multiple parcels or lots are offered for sale in various amalgamations, including as individual parcels or lots, combinations of parcels or lots, and all parcels or lots as a whole. This method allows auctioneers to offer a variety of assets by an individual parcel, group of parcels, or as a whole to maximize value.

HB 480 is supported by the Ohio Auctioneers Association and has no opponents. The bill was unanimously reported by the Civil Justice Committee.

#### House Bill 497

HB 497 aims to protect Ohioans from “revenge porn.” The bill makes it a first degree misdemeanor to disseminate private sexual images with intent to harm the individual in the image and adds possible felony offenses for subsequent violations. The bill also creates a third degree misdemeanor when harmful material is transmitted to juveniles if certain conditions are met.

Additionally, HB 497 creates a civil action that the victim may file against the offender, including a possible TRO, compensatory damages, punitive damages, reasonable attorney’s fees, and cost of bringing the action.

HB 497 prohibits an institution of higher learning from disciplining or showing bias in awarding financial assistance to a victim of this bill and prohibits licensing agencies or boards from refusing to issue a license or disciplining a victim of this bill.

This bill was amended in committee to remove provisions related to employers, which moved the Ohio Chamber and other business groups to neutral. The bill was reported by the Community and Family Advancement Committee 13-1 with Rep. Vitale voting “no.”

## House Bill 500

HB 500 provides additional authority to townships in a variety of areas. It allows a municipality, in addition to a township under the bill, to levy a tax for any combination of the following purposes: 1.) acquiring, constructing, or maintaining buildings and equipment for police, fire, and emergency medical services, 2.) constructing or repairing roads and bridges, and 3.) general infrastructure improvements.

A county would be permitted to levy a tax for any combination of the following expenses: 1.) constructing and repairing roads and bridges, 2.) maintaining and operating a county home, jail, detention facility, or sewage disposal facility, 3.) funding the county's share of the cost of operating schools, detention facilities, and forestry camps, 4.) preparing for flood defense, 5.) constructing and maintaining drainage improvements, 6.) establishing and operating a 9-1-1 system, 7.) acquiring, constructing, and maintaining county facilities, and 8.) acquiring or improving land. The bill allows political subdivisions to electronically certify to the board of elections a question or issue to be placed on the ballot.

The bill is supported by the Ohio Townships Association and was opposed in committee by the Ohio Fire Chief's Association. Their concerns were removed from the bill. The bill passed State and Local Government Committee 14-0.

## House Bill 502

HB 502 would require public school employees to undergo training in youth suicide awareness and prevention programs once every two years, as part of in-service training.

Current law already requires that public schools incorporate training in youth suicide awareness and prevention through in-service training, but does not specify frequency.

In addition to youth suicide and prevention programs, school employees currently must attend at least four hours of in-service training in the prevention of child abuse, substance abuse, violence, harassment, intimidation, and bullying, and the promotion of positive youth development every five years after their initial two years of employment with the district or center.

HB 502 was reported by the Education and Career Readiness Committee unanimously and has no opponents.

#### House Bill 504

Current law prohibits interior designers from submitting commercial building plans to obtain a building permit without the seal of an architect or engineer. HB 504 removes this barrier by allowing certified interior designers to submit plans. To qualify to submit plans independently, interior designers must be certified by the newly created Ohio Interior Design Examiners Board.

This bill is completely permissive. One can still operate as an interior designer, however, without proper certification, interior designers would need to have an architect or engineer sign off on the building plans. Passage of this legislation will allow for construction work to begin more quickly because of fewer bureaucratic hurdles to interior designers.

HB 504 is supported by Associated Builders and Contractors and American Society of Interior Designers, but opposed by the American Institute of Architects of Ohio. The bill was reported by the Economic Development, Commerce, and Labor Committee 10-1 with Rep. Dean voting “no.”

#### House Bill 511

HB 511 standardizes the age at which a person can get married. The bill prohibits minors from getting married unless they are emancipated and 17 years old. It

requires proof of age when seeking a marriage license and imposes a 14-day waiting period on licenses for 17-year-olds. The bill also prohibits a 17-year-old from marrying someone more than four years older than him or her.

Current law allows males to get married when they are 18 and females when they are 16. A juvenile court can also consent to allow a couple to get married younger than the minimum age when the female is pregnant and intends to have the child. For example, in 2002 a Gallia County judge granted consent for a 14-year-old pregnant girl to marry the 48-year-old father. While these cases are rare, they are allowable under Ohio law, and proponents of the bill argue that the current law provides a high risk of abuse and exploitation of minors.

HB 511 was reported by the Community and Family Advancement Committee unanimously and has no opponents.

#### House Bill 540

HB 540 revises the Ohio Teacher Evaluation System (OTES). The bill requires the Department of Education to revise the state framework for teacher and administrator evaluations, based on the recommendations of the Educator Standards Board, and to submit a summary of its revisions to the State Board of Education for review. The bill also requires the State Board to adopt the revised framework by May 1, 2019, and requires school districts to update their teacher evaluation policies by July 1, 2019.

HB 540 makes several changes to the specifications for the revised framework and does not take effect until the 2020-2021 school year.

HB 540 is supported by the Ohio Education Association and the Ohio Educator Standards Board and has no opponents. The bill was reported by the Education and Career Readiness Committee 17-2 with Rep. Hood voting “no.”

### House Bill 543

HB 543 authorizes a county prosecuting attorney, in the attorney's discretion and with the approval of the board of county commissioners, to enter into a contract with a regional airport authority, port authority, or regional planning commission to be its legal adviser. The county prosecuting attorney would also be permitted to charge a fee for legal services agreed to under the contract.

The bill was supported in committee by the Ohio Association of Regional Councils, the Ohio Aviation Association, the Dayton International Airport, and the Allen County Regional Airport Authority. The bill has no opponents and was reported 11-0.

### House Bill 551

Currently there is low participation from 16- and 17-year-olds in both construction and manufacturing fields. HB 551 would encourage participation by allowing 16- and 17-year-olds to be hired in construction and manufacturing and permitting them to use a limited number of power tools after taking federally approved safety classes.

Employers would provide training to youth prior to operation of power tools to ensure the highest level of safety. The legislation would open up opportunities for youth exposure to these fields of employment, possibly leading to greater participation in the future.

HB 551 is supported by NFIB, Ohio Manufacturers' Association, and Associated Builders and Contractors. It is pending in Economic Development, Commerce, and Labor.

### House Bill 557

HB 557 licenses and regulates the practice of art therapy, which is currently not recognized under Ohio law. The bill states that the Counselor, Social Worker, and Marriage and Family Therapist Board will regulate and adopt rules for art therapists.

Art therapists claim they have been practicing at the national level and in Ohio, but are not regulated as their own classification of medical professional. Opponents argue that creation of the title art therapist is unnecessary and inappropriate. The bill was amended to appease opponents by removing an art therapist's ability to "diagnose." While this helped, none of the opponents have changed their stance.

HB 557 is supported by the Buckeye Art Therapy Association, American Art Therapy Association, Cleveland Clinic, and others, but opposed by the Ohio Speech and Hearing Governmental Affairs Coalition, Ohio Occupational Therapists Association, and Ohio Counseling Association. The bill was reported by the Health Committee 13-3 with Reps. Butler, Merrin, and Romanchuk voting "no."

### House Bill 572

HB 572 aims to help correct a situation mainly affecting the developmental disabilities population.

The bill would require OPERS to grant a full year of service credit to a PERS member employed as a nonteaching school employee of a county board of developmental disabilities if the member performs full-time services in the position for at least nine months and is paid earnable salary in each month of that year. This member must meet the conditions as prescribed under the bill in order to receive the full service credit.

The bill also opens a 90-day window for each eligible county board of developmental disabilities, in working through the county auditor, to report to OPERS the member's name and any additional information required by PERS in the form they require.

Current law grants a full year of service credit to an SERS member who is employed by a SERS-covered employer on a full-time basis for nine or more months of service within a year.

HB 572 was reported by the Aging and Long-Term Committee unanimously and has no opponents.

#### House Bill 595

HB 595 is another "probate omnibus" bill that includes several additional changes to make Ohio's probate law more efficient, fair, and updated. The bill expands Ohio's "Slayer Statute" by generally disqualifying a person convicted of involuntary manslaughter from in any way benefitting from the death of the victim of that offense.

The bill also responds to a desire to allow individuals to pass on knowing their estate instruments are valid and mechanisms exist to ensure that private details of their lives can be kept private in a post-mortem dispute. Specifically, the bill makes clear that provisions mandating arbitration in trust disputes are generally enforceable, creates a procedure for determining the validity of a trust prior to the death of the testator, and generally prohibits a person from contesting the validity of any trust as to facts a probate court decided were valid during the testator's lifetime.

The bill also allows for the personal representative of a decedent to file an application with the probate court to release the decedent's medical records for the

limited purpose of deciding whether to file a wrongful death claim, rather than having to open an estate for that limited purpose. The bill also contains provisions relating to the incorporation of trusts in wills and specifies that the exception to the anti-lapse provisions for wills and trusts only apply to multigenerational class gifts.

HB 595 is supported by the Ohio Judicial Conference and the Ohio State Bar Association. The bill has no opponents. It was unanimously reported by the Civil Justice Committee.

#### Senate Bill 66

SB 66 makes numerous “smart on crime” changes to Ohio’s criminal justice system. The bill adds promotion of the effective rehabilitation of an offender to the overriding purposes of felony sentencing. It removes the mandatory one-year minimum that currently applies when a court sentences an offender to a community control sanction for a fourth- or fifth-degree felony under the presumption for such a sanction. This change allows a sentencing court to tailor a sentence to the needs of the individual so they can be more effectively rehabilitated.

The bill modifies how a sentencing court calculates the confinement credit by which the prison term for a felony must be reduced, and it allows a court to impose a new term of up to six months in jail as a penalty for a violation of a community control sanction.

Other key provisions in the bill deal with allowing people to get their lives back on track so they can be productive members of society. Key to these are provisions that: 1.) modify the criteria that a person must satisfy to be eligible for intervention in lieu of conviction, 2.) expand pretrial diversion eligibility with prosecutorial consent, and, 3.) expand the categories of offenders who are “eligible offenders” for purposes of Ohio’s Conviction Record Sealing Law.

SB 66 is supported by ODRC, Ohio Judicial Conference, and others. The bill has no opponents. It passed the Senate 32-0 and was unanimously reported by the House Criminal Justice Committee.

#### Senate Bill 81

Current law only allows a retired or honorably discharged veteran to apply for a concealed carry license with documentation of proof of training for up to 10 years after separation from the military. SB 81 would remove this time limit. This legislation removes concealed carry license fees for veterans unless waived fees in a year amount to \$1.5 million. The window will close until the start of next year if the limit is reached. The Attorney General will track waived fees and report to sheriffs when the window is closed.

SB 81 also permits a current veteran CHL holder to renew the license before expiration. This is already allowed for ordinary Ohio citizens and brings veterans with a CHL into that same group.

SB 81 is supported by AMVETS and has no opponents. It was reported out of Armed Services, Veterans Affairs, and Homeland Security 10-1.

#### Senate Bill 127

Am. S.B. 127 requires drivers to move over or reduce their speed for stationary waste collection vehicles with flashing lights. The bill also allows waste collection vehicles (trash, garbage, refuse, or recyclables) to use flashing lights. The bill was supported by the Solid Waste Association of North America and Rumpke and did not have any opponents in House Government Accountability and Oversight. The bill was reported 10-0.

#### Senate Bill 216

SB 216 aims to deregulate burdensome policies affecting public school districts across the state and enact other education-related policies.

SB 216 revises the Ohio Teacher Evaluation System (OTES) as recommended by the Ohio Educator Standards Board and compromised by various stakeholders.

The bill also revises educator licensure and employment, including grade bands, licensure in Early College High Schools, career-tech licensure, substitute teacher licensure, and gifted services professional development.

Lastly, SB 216 revises textbook costs to students and universities for College Credit Plus, removes excused absences from the requirement of a school district's determination for an 'excessively absent' student, and requires each school district to complete and file a "Consolidated School Mandate Report" by November 30th every year with ODE.

SB 216 is pending in the Education and Career Readiness Committee.

#### Senate Bill 220

SB 220 provides an incentive for businesses to achieve a higher level of cybersecurity through voluntary action. It creates an affirmative defense to a tort action against a covered entity because of a data breach if the entity is accused of failing to implement reasonable information security controls and the entity has a cybersecurity program that meets the bill's requirements. "Covered entity" is defined as a business or nonprofit entity, including a financial institution, that accesses, maintains, communicates or handles personal information or restricted information.

The bill requires the covered entity to create, maintain, and comply with a written cybersecurity program in order to be eligible for the affirmative defense. Attorney General Mike DeWine, the Ohio Chamber of Commerce, Nationwide, NFIB, Lunarline, and XLN Systems were proponents in the Senate. It is expected that the trial attorneys will oppose the bill in the House. The bill is pending in GAO committee. SB 220 passed the Senate 24-8 (party line).

### Senate Bill 221

Sub. SB 221 looks to enhance Ohio's rulemaking process by not allowing informal policymaking by state agencies. This change will make the impact of agency rules more transparent. Sub. SB 221 would allow the Joint Committee on Agency Rule Review (JCARR) to call any agency that improperly establishes rule through policy rather than the formal process. It would also allow the committee to vote to make the agency write a formal rule in lieu of the informal policy. Other provisions in the bill pertain to a self-examination process, inaction on rules that agencies were statutorily required to propose, and JCARR's ability to review rules between a 5-year rule review period.

Sub. SB 221 passed the Senate 30-3 and is supported by JCARR, NFIB, Ohio Chamber, Ohio Association of Goodwill Industries, and the Small Business Consultants of Ohio.

### Senate Bill 239

SB 239 requires the regional council of governments' (COG) officers—upon forming a COG and before taking an official action—to notify the Auditor of State of its formation. Records containing the names of political subdivisions that are members of a COG or names of representatives from those political subdivisions who serve on the COG are public records. COG officials and employees are subject to the Ethics Law under this bill. Under current law, a COG is sometimes formed in order to perform any number of functions, including studying governmental problems in a region, carrying out regional development projects, and pooling government resources to provide services. SB 239 is pending in State and Local Government Committee. To date, the bill is supported by Auditor Yost, OML, and the Ohio News Media Association. The bill passed the Senate 33-0.

## Senate Bill 299

SB 299 provides \$23.5 million in additional GRF funding and \$12.7 million in additional capital funding for programs that support the protection and preservation of Lake Erie and its tributaries. The additional operating budget funding will go to the Department of Agriculture for soil and water conservation districts in the Lake Erie Basin and to the Soil and Water Phosphorus Program, which the bill creates. Additionally, the Department of Higher Education is provided new capital funding that will be given to the Ohio Sea Grant Program to build new laboratory space at the Stone Laboratory and buy in-lake monitoring equipment.

SB 299 is the companion bill to HB 643 (Arndt, Patterson), which was reported out of Finance Committee unanimously. The only difference between the two bills is that HB 643 states that no more than 40 percent of the money in the phosphorus program can be used for one activity.

**From:** Scott Ryan  
**Sent:** Sunday, June 24, 2018 9:42 PM  
**To:** William Reineke  
**Subject:** Re: FW: whip list for 6 27 2018

Bill,

Sorry for the delay. I don't need to talk to sponsors on these and would actually prefer not to.

I do have mixed feelings about the following, but could support the rest of the list assuming no new information comes to light.

Concerns with:

- 1) HB 189 - heard an idea from Jim Hoops that I really like. Why not have 2 licenses with a different name for the 1000 vs 1500 hour requirements?
- 2) HB 371 - I voted for it in committee and will support in the floor if we vote on it. I do think the local government entities make a valid argument that they can do the same thing when and where they want rather than just making it statewide.
- 3) HB 469 - again, can support, but it just smells of a special deal
- 4) HB 504 - had architects reach out from the district and say that it weakens their license - don't know that this is necessary - another board etc.
- 5) HB 557 - this just seems ridiculous to me. I get that therapy can come from all kinds of activities, but licensing and regulation just seems like more government.

Take care,  
Scott

On Fri, Jun 22, 2018 at 3:37 PM William Reineke  
<[william.reineke@drivereineke.com](mailto:william.reineke@drivereineke.com)> wrote:

Hi Scott,

Please advise!

Thanks, Bill

Bill Reineke

State Representative, 88<sup>th</sup> District

c) 419 934 7387

Tuesday, June 26, 2018

Caucus 7:00 – 9:00 PM

Wednesday, June 27, 2018

Caucus 10:00 – 11:00 AM

Session: 11:00 AM

Bills for Third Consideration

- House Bill 7 – Rep. Cupp – Reported out of Civil Justice (11-2, Dever)
  - Address medical claims and provider immunities
- House Bill 51 – Rep. Faber – Reported out of State and Local Government (8-6, Anielski, Arndt)
  - Review and sunset cabinet departments
- House Bill 92 – Rep. Schaffer – Reported out of Criminal Justice (13-0)
  - Require public indecency before minors offenders to register
- House Bill 156 – Rep. Schuring – Reported out of Insurance (11-0)
  - Address vision care insurance limits
- House Bill 189 – Rep. Roegner, Reece – Reported out of Government Accountability and Oversight (10-4, party line)
  - Change Cosmetology Licensing Law
- House Bill 211 – Rep. Hughes – Reported out of Economic Development, Commerce, and Labor (12-2, Hood, Dean)
  - License home inspectors
- House Bill 240 – Rep. Barnes – Reported out of Higher Education and Workforce Development (12-0)

- o Require state higher ed to adopt sex offense policies
- House Bill 293 – Rep. Scherer, Sheehy – Reported out of Transportation and Public Safety (11-3, Manning)
- o Alter time periods pertaining to new drivers
- House Bill 349 – Reps. LaTourette – Reported out of Criminal Justice (13-0)
- o Increase and expand crime of assaulting a police animal
- House Bill 355 – Reps. Hill, Rezabek – Reported out of Criminal Justice (13-0)
- o Prohibits sexting if under 21 but allows diversion from penalty
- House Bill 371 – Rep. Merrin – Reported out of Ways and Means (15-3, Green, Hambley)
- o Exempt increased value of subdivided land until building starts
- House Bill 386 – Reps. Henne, Kelly – Reported out of FIHUD (12-0)
- o Modify credit reporting agency fees for a credit report freeze
- House Bill 394 – Rep. Rezabek – Reported out of Criminal Justice (10-3, Butler, Cupp, Hughes)
- o Revise juvenile procedures

- House Bill 425 – Reps. Antani, Craig – Reported out of Government Accountability and Oversight (12-0)
  - o Declare police body camera recordings not to be public records
- House Bill 469 – Reps. Schuring, Patton – Reported out of Government Accountability and Oversight (12-0)
  - o Grant tax credit for transformational mixed use development
- House Bill 479 – Reps. Lipps, West – Reported out of Government Accountability and Oversight (12-0)
  - o Disclose drug price information to patients
- House Bill 480 – Rep. Hill – Reported out of Civil Justice (11-0)
  - o Establish requirements for multi-parcel auctions
- House Bill 497 – Reps. Rogers, Manning – Reported out of Community and Family Advancement (13-1, Vitale)
  - o Prohibit disseminating private sexual images
- House Bill 500 – Rep. Carfagna – Reported out of State and Local Government (14-0)
  - o Change township law

- House Bill 502 – Rep. Anielski – Reported out of Education and Career Readiness (19-0)
  - o Train public school educators about youth suicide
- House Bill 504 – Rep. Pelanda – Reported out of Economic Development, Commerce, and Labor (10-1, Dean)
  - o Regards interior designers
- House Bill 511 – Reps. Lanese, Rogers – Reported out of Community and Family Advancement (11-0)
  - o Change age at which can marry
- House Bill 540 – Reps. Gavarone, Manning – Reported out of Education and Career Readiness (17-2, Hood)
  - o Regards teacher evaluations
- House Bill 543 – Reps. Perales, Hambley – Reported out of State and Local Government (11-0)
  - o Allow prosecutor to contract to give outside legal advice
- House Bill 551 -- Reps. Perales, Romanchuk – Pending in Economic Development, Commerce and Labor
  - o Regarding hazardous occupations prohibited for minors and providing training to certain minors employed in a construction or manufacturing occupation

- House Bill 557 – Rep. Anielski – Reported out of Health (13-3, Butler, Merrin, Romanchuk)
  - o License and regulate art therapists
- House Bill 572 – Reps. Scherer, Howse – Reported out of Aging and Long-Term Care (11-0)
  - o Regards PERS service credit for nonteaching DD board employees
- House Bill 595 – Reps. Cupp, Rezabek – Reported out of Civil Justice (12-0)
  - o Revise law of wills, trusts, and suspicious deaths
- Senate Bill 66 – Sens. Eklund, Tavares – Reported out of Criminal Justice (13-0)
  - o Modify criminal sentencing and corrections law
- Senate Bill 81 – Sen. Terhar – Reported out of Armed Services, Veterans Affairs, and Homeland Security (10-1)
  - o Revise licensing rules for military personnel concealed carry
- Senate Bill 127 – Sen. LaRose – Reported out of Government Accountability and Oversight (10-0)
  - o Require actions when driver approaches waste collection vehicle

- Senate Bill 216 – Sen. Huffman – Pending in Education and Career Readiness
  - o To enact the "Ohio Public School Deregulation Act" regarding the administration of preschool and primary and secondary education programs
- Senate Bill 220 – Sens. Hackett, Bacon – Pending in Government Accountability and Oversight
  - o To provide a legal safe harbor to covered entities that implement a specified cybersecurity program
- Senate Bill 221 – Sen. Uecker – Pending in Government Accountability and Oversight
  - o To reform agency rule-making and legislative review thereof
- Senate Bill 239 -- Sen. Dolan – Pending in State and Local Government
  - o To modify the law concerning regional councils of governments
- Senate Bill 299 – Sen. Gardner – Pending in Finance
  - o To allow equipment for the protection and preservation of Lake Erie to be purchased with proceeds from the Parks and Recreation Improvement Fund, and to appropriate funds for projects enhancing water quality in the Western Lake Erie Basin

HB 7 addresses several areas of tort law, primarily in regards to medical malpractice litigation. The bill codifies the Ohio Supreme Court's recent medical malpractice "apology" holding by expressly stating in the statute that an apology may include a statement that includes an admission of error or fault. The bill also permits notice of a lawsuit to be provided by certified mail (as opposed to personal service, which can be awkward for all parties). To help minimize the inclusion of non-liable medical providers in a lawsuit, the bill establishes an optional alternative process, allowing for a more targeted approach without diminishing or enlarging the time within which the lawsuit must be filed under current law.

Additionally, HB 7 prohibits the use of insurer payment policies and guidelines—including those of government payers—to establish the standard of care required of medical providers for tort liability purposes. The bill permits peer review of information shared with regulators, but also clarifies that disclosing the peer review information to a regulator does not otherwise affect the confidentiality of the information. The bill provides protection for certain providers/hospitals concerning good faith failure to discharge and discharge. Of final note, in the event that an epidemic or a natural, technological, or man-made disaster overwhelms emergency care providers, the bill provides for an alternative standard of liability for emergency care providers to encourage them to still provide needed medical care in such situations.

HB 7 is supported by the Ohio State Medical Association and the American College of Emergency Physicians, but opposed by the Ohio Association for Justice. The bill was reported by the Civil Justice Committee 11-2 with Rep. Dever voting "no."

#### House Bill 51

HB 51 establishes a procedure for the General Assembly to periodically review cabinet departments and establishes a schedule for departments that are not renewed to cease operation. The bill also modifies the schedule of performance audits conducted by the Auditor of State to coincide with the periodic review of departments.

The bill requires the Senate President and House Speaker to direct standing committees to hold hearings to evaluate departments within the first three months after a general assembly begins.

HB 51 is supported by Americans for Prosperity and opposed by Service Employees International Union (SEIU), Ohio Civil Service Employees Association (OCSEA), and Policy Matters Ohio. The bill was reported out of State and Local Government Committee 8-6 (Anielski, Arndt).

#### House Bill 92

HB 92 requires an offender who knowingly commits public indecency for the purpose of sexual arousal or gratification, and who is likely to be viewed by minors, to register as a Tier I sex offender/child-victim offender (lowest level), which means they will be required to register annually. The substitute bill allows for judicial discretion for first-time offenders.

HB 92 is supported by the Baltimore Police Department, but opposed by the Office of the Public Defender and ACLU of Ohio. The bill was unanimously reported by the Criminal Justice Committee.

#### House Bill 156

HB 156 prohibits insurers from requiring vision care providers to charge a fee set by the insurer for vision care services and materials that the insurer does not even cover. The bill allows the provider to opt-in to the insurer's fee schedule, but clarifies that whether or not the insurer contracts with the provider cannot be contingent upon the provider accepting the insurer's fee schedule for non-covered services

Additionally, HB 156 requires both the provider and insurer to disclose certain things to the patient so the patient can make informed choices when shopping for

vision care materials and services. The bill also prohibits the repeated failure to disclose the required info and subjects the insurer or provider to potential discipline from the licensing board or ODI, whichever is applicable.

Providers have brought concerns that they are being forced to cap the amount they charge for non-covered services (such as a second pair of glasses) so that the insurer can provide an additional benefit to the enrollee without having to pay for it. Additionally, the optometrists argue that they often are required to obtain the vision care materials from vendors that are partially owned by the insurers. The insurers argue that the provider does not have to sign the contract with them, but they often do because they provide the benefit of funneling covered enrollees to the provider which outweighs any harm imposed by capping the fees charged for non-covered services. A compromise was made that got the National Association of Vision Plans to be proponents. The Ohio Association of Health Plans, however, still oppose the bill.

HB 156 is supported by the National Association of Vision Care Plans and the Ohio Optometric Association, but is opposed by the Ohio Associations of Health Plans and other insurance groups. HB 156 was reported by the Insurance Committee unanimously.

### House Bill 189

HB 189 reduces the required hours of initial instruction to earn a cosmetology license from 1,500 to 1,000; for a cosmetology license where the applicant is a licensed barber from 1,000 to 400; for a hair designer license from 1,200 to 800; and for a hair designer license where the applicant is a licensed barber from 1,000 to 200. It also eliminates advance level licenses for cosmetologists, estheticians, hair designers, manicurists, and natural hair stylists.

In addition, the bill 1.) eliminates the natural hair stylist license, 2.) converts an independent contractor license to an independent contractor registry, 3.) revises boutique services provider registrations, 4.) changes the State Cosmetology and Barber Board membership and duties, 5.) requires the Board to adopt rules to

establish an apprentice cosmetology program (who are not licensed but are training in cosmetology under a person holding a practice or instructor's license), 6.) allows distance education to meet education and continuing education requirements under the Cosmetology Law & requires the Board to adopt rules, 7.) modifies reciprocity and licenses, 8.) creates a licensure process by endorsement, 9.) alters instructor license requirements, 10.) changes cosmetology licensure examination requirements, and 10.) makes changes regarding cleaning standards and infection control.

The bill is supported by the NFIB, the Ohio Chamber of Commerce, Ohio Salon Association, The Charles Penzone Salons, SportClips, Great Clips, and Professional Beauty Association. The bill is opposed by the Ohio Association of Cosmetology Schools, Wezlynn VanDyke Davis, Nancy Brown from Brown Aveda Institute, and other individual cosmetologists and small salons. The Buckeye Institute is an interested party to the legislation. The bill passed GAO 10-4 (party line).

#### House Bill 211

HB 211 would require the licensure of home inspectors and creates the Ohio Home Inspector Board. The Home Inspector Board will consist of five members (three appointed by the Governor, one by the Speaker of the House, and one by the Senate President) and will be within the Department of Commerce. Thirty states, including Indiana, Kentucky, Pennsylvania, and West Virginia, require home inspectors to be licensed.

HB 211 is supported by the Ohio Association of Realtors and American Society of Home Inspectors, but opposed by Namistil Home Inspections, HomeSpection Training Institute, Americans for Prosperity. It was reported by the Economic Development, Commerce and Labor Committee 12-2 with Reps. Hood and Dean voting "no."

#### House Bill 240

HB 240 will require each public university and college to adopt a policy regarding dating violence, domestic violence, sexual assault, stalking, and rape on campus, as

well as require them to keep a record of all reports of such incidents that they receive. State universities and colleges also have the flexibility to go beyond the minimum federal requirements for such a policy.

There is no state law requiring state universities and colleges to adopt policies as such under HB 240. However, these institutions of higher education are required to adopt such policies under the federal Clery Act and Title IX.

The bill also designates April as “Respect Your Date Month” and contains an emergency clause. HB 240 was reported by the Higher Education and Workforce Development Committee unanimously and has no opponents.

#### House Bill 293

HB 293 revises laws pertaining to probationary driver's licenses and temporary instruction permits.

The bill alters from 16 to 16 ½ the age at which a person is first eligible to obtain a probationary driver's license. It achieves this by requiring the person to hold a temporary instruction permit for one year before obtaining the probationary license; the temporary permit is valid for 2 ½ years. The bill also revises the restricted time for a person with a temporary permit and probationary license between the hours of 10:00pm and 6:00am.

Lastly, the bill eliminates a court's authority to order that a parent or guardian accompany a probationary license holder who is under 17 and pleads guilty to, is convicted of, or is adjudicated in juvenile court of having committed a moving violation during the first six months of holding that license.

Under current law, the holder of a temporary permit who is under 18 is prohibited from driving between the hours of 12:00am (midnight) to 6:00am unless accompanied by a parent. The same time restrictions apply to a person who holds a probationary driver's license.

HB 293 has no opponents. The bill was reported by the Transportation and Public Safety Committee 11-3 with Rep. Manning voting "no."

#### House Bill 349

HB 349 equalizes the penalties for assaulting a search-and-rescue dog or horse to the existing penalties for assaulting a police dog or horse. (These presently range from an M2 for assault to an F3 if the assault caused the death of the animal.) The bill requires volunteers to be certified to train by a nationally recognized search-and-rescue training organization, program or course.

HB 349 is supported by Miami Valley Mounted Search and Rescue, Midwest K9 Search Unit, and Buckeye Emergency Response Training School. The bill has no opponents. It was unanimously reported by Criminal Justice Committee.

#### House Bill 355

HB 355 was brought in response to a growing dilemma for dealing with juveniles that commit the crime commonly referred as "sexting." Under current law, a prosecutor can generally choose either to not charge them for the offense or to charge them with a felony that could potentially ruin their lives. This bill outlines the crime of "possession of sexually explicit digital material," (referred to in the bill as "sexting"). Only offenders under the age of 19 are eligible for this alternative (M1) charge that allows for mandatory diversion eligibility. Those with prior offenses cannot take part in the diversion program. The substitute bill included language to make clear that prosecutors could charge for a more serious offense if the elements were met and they wished to pursue such a heightened charge.

HB 355 is supported by the Ohio Judicial Conference, but opposed by the Ohio Prosecuting Attorney's Association and the ACLU of Ohio. The bill was unanimously reported by Criminal Justice Committee.

#### House Bill 371

HB 371 exempts from property taxation any increase in taxable value of land subdivided for construction of residences until 1.) construction starts on the residence buildings, 2.) the land is sold, or 3.) eight years have passed, whichever occurs first. Changes made in committee placed an eight-year cap on the exemption.

HB 371 is supported by the Ohio Homebuilders Association and the Ohio Real Estate Investors Association, but opposed by a number of local government groups including the Ohio School Boards Association, the Ohio Municipal League, the Ohio Township Association, the County Commissioners Association. The bill was reported by the Ways & Means Committee 15-3 with Reps. Green and Hambley voting "no."

#### House Bill 386

HB 386 makes a simple change that allows individuals to place a freeze on their credit with the three credit bureaus without having to pay the 5-dollar charge.

Given the recent data breaches with Experian and others, many people may wish to proactively freeze their credit to prevent an identity thief from opening an account in their name. Unless they can show they have been a victim of identity theft, they must pay 5 dollars. While this may not sound like a lot, they have to pay it in order to freeze and unfreeze their credit. For example, if a family of four wanted to do this, it could cost \$60 just to freeze their credit and another \$60 when they wished to unfreeze it. Removing this fee helps consumers protect their credit.

The lone opponent to HB 386 is the Consumer Data Industry Association. The bill was reported by the Financial Institutions, Housing, and Urban Development Committee unanimously.

#### House Bill 394

HB 394 addresses a number of pressing issues in juvenile court. The bill maintains as mandatory bind-overs (to adult court) for children charged with aggravated murder if the child was 16 or 17 years old at the time of the crime. However, all other bind-overs are discretionary. This structure generally allows a judge to consider the circumstances around the crime rather than automatically binding them to be tried in adult court.

The bill also prohibits sentencing an offender to life imprisonment without parole for an offense that was committed when the offender was under age 18. It establishes a review mechanism for offenders in certain circumstances who receive, or have received, a definite sentence of more than 18 years or an indefinite sentence for a crime committed before turning 18. The goal of these provisions is to recognize the developmental handicaps of children in a constitutionally sound way.

HB 394 is supported by the Juvenile Justice Coalition, Ohio Judicial Conference, Office of the Ohio Public Defender, and other organizations, but opposed by the Ohio Prosecuting Attorneys Association and Ohio Crime Victim Justice Center. The bill was reported by the Criminal Justice Committee 10-3 with Reps. Butler, Cupp, and Hughes voting “no.”

#### House Bill 425

HB 425 specifies when body camera and dashboard camera recordings are public records. If either type of recording shows the death of a person, grievous bodily harm, an act of severe violence, or a nude body, the bill allows for the person shown in the recording to consent to its release only if the recording is not a confidential law enforcement investigatory record. Provisions in the bill also protect the identity of a child in these recordings. The bill allows for court action to request the release

of restricted portions of these video recordings. Lastly, the bill specifies that a public school infrastructure record is not a public record.

The bill is supported by George Speaks, City of Columbus Public Safety Department, the ACLU of Ohio, and the Ohio News Media Association. It has no opponents. The bill passed GAO committee by a vote of 12-0.

#### House Bill 469

HB 469 authorizes a nonrefundable insurance company tax credit for contributions of capital for the construction of transformational mixed use development (TMUDs) projects. TMUDs are defined under the bill as multi-purpose developments that include at least one large building (either 15 or more stories high or 350,000 or more square feet in floor area) and that are expected to have a “transformational economic impact” on the surrounding area.

The credit is 10 percent of the documented development costs, and it permits unclaimed credit to be carried over for five years. It may be claimed against the state’s taxes on foreign and domestic insurance companies. The Director of Development Services (DSA) awards the credit through an application process initiated by the property owner if the estimated development costs to complete the project exceed \$50 million. The bill requires an insurance company that intends to claim the credit to purchase the right to claim the credit from the property owner. LSC estimates that each such project would result in GRF revenue loss of \$5 million or more. Also, the number of projects that may be approved is undetermined under the bill.

The bill is supported by Steve Coven from Robert L. Stark Enterprises, Ohio Municipal League, and the Ohio Chamber of Commerce. The bill does not have any opponents. It was reported by GAO 12-0.

#### House Bill 479

HB 479 reduces the administrative burden placed on pharmacists by Pharmacy Benefit Managers (PBMs), which act as third-party intermediaries between pharmacies and insurers. The bill prohibits health insurers and third-party intermediaries from requiring, or directing pharmacies to collect, cost-sharing beyond a certain amount from individuals purchasing prescription drugs.

HB 479 also prohibits issuers and administrators from retroactively adjusting pharmacy claims except when it is a result of a technical billing error. Issuers and administrators are prohibited from charging claim-related fees unless those fees can be determined at the time of claim adjudication.

Proponents advocate for the bill because it requires that patients are informed of the most affordable option for prescriptions and would limit the amount that a PBM, health plan, or other administrator may charge a patient covered under a prescription benefit plan. Proponents include the Ohio Pharmacists Association, Discount Drug Mart, Equitas Health, Epilepsy Foundation, Alliance for Transparent & Affordable Prescriptions, and the National Multiple Sclerosis Society to name a few.

The bill has no opponents. GAO Committee passed the bill 12-0.

#### House Bill 480

HB 480 clarifies that the common practice of multi-parcel auctions are recognized in Ohio law. Current law generally governs three types of auctions: absolute, reserve, and estate auctions. The bill adds a multi-parcel auction as a new type of auction subject to regulation by the Department of Agriculture. A multi-parcel auction is any auction of real or personal property in which multiple parcels or lots are offered for sale in various amalgamations, including as individual parcels or lots, combinations of parcels or lots, and all parcels or lots as a whole. This method allows auctioneers to offer a variety of assets by an individual parcel, group of parcels, or as a whole to maximize value.

HB 480 is supported by the Ohio Auctioneers Association and has no opponents. The bill was unanimously reported by the Civil Justice Committee.

#### House Bill 497

HB 497 aims to protect Ohioans from “revenge porn.” The bill makes it a first degree misdemeanor to disseminate private sexual images with intent to harm the individual in the image and adds possible felony offenses for subsequent violations. The bill also creates a third degree misdemeanor when harmful material is transmitted to juveniles if certain conditions are met.

Additionally, HB 497 creates a civil action that the victim may file against the offender, including a possible TRO, compensatory damages, punitive damages, reasonable attorney’s fees, and cost of bringing the action.

HB 497 prohibits an institution of higher learning from disciplining or showing bias in awarding financial assistance to a victim of this bill and prohibits licensing agencies or boards from refusing to issue a license or disciplining a victim of this bill.

This bill was amended in committee to remove provisions related to employers, which moved the Ohio Chamber and other business groups to neutral. The bill was reported by the Community and Family Advancement Committee 13-1 with Rep. Vitale voting “no.”

#### House Bill 500

HB 500 provides additional authority to townships in a variety of areas. It allows a municipality, in addition to a township under the bill, to levy a tax for any combination of the following purposes: 1.) acquiring, constructing, or maintaining buildings and equipment for police, fire, and emergency medical services, 2.)

constructing or repairing roads and bridges, and 3.) general infrastructure improvements.

A county would be permitted to levy a tax for any combination of the following expenses: 1.) constructing and repairing roads and bridges, 2.) maintaining and operating a county home, jail, detention facility, or sewage disposal facility, 3.) funding the county's share of the cost of operating schools, detention facilities, and forestry camps, 4.) preparing for flood defense, 5.) constructing and maintaining drainage improvements, 6.) establishing and operating a 9-1-1 system, 7.) acquiring, constructing, and maintaining county facilities, and 8.) acquiring or improving land. The bill allows political subdivisions to electronically certify to the board of elections a question or issue to be placed on the ballot.

The bill is supported by the Ohio Townships Association and was opposed in committee by the Ohio Fire Chief's Association. Their concerns were removed from the bill. The bill passed State and Local Government Committee 14-0.

#### House Bill 502

HB 502 would require public school employees to undergo training in youth suicide awareness and prevention programs once every two years, as part of in-service training.

Current law already requires that public schools incorporate training in youth suicide awareness and prevention through in-service training, but does not specify frequency.

In addition to youth suicide and prevention programs, school employees currently must attend at least four hours of in-service training in the prevention of child abuse, substance abuse, violence, harassment, intimidation, and bullying, and the promotion of positive youth development every five years after their initial two years of employment with the district or center.

HB 502 was reported by the Education and Career Readiness Committee unanimously and has no opponents.

#### House Bill 504

Current law prohibits interior designers from submitting commercial building plans to obtain a building permit without the seal of an architect or engineer. HB 504 removes this barrier by allowing certified interior designers to submit plans. To qualify to submit plans independently, interior designers must be certified by the newly created Ohio Interior Design Examiners Board.

This bill is completely permissive. One can still operate as an interior designer, however, without proper certification, interior designers would need to have an architect or engineer sign off on the building plans. Passage of this legislation will allow for construction work to begin more quickly because of fewer bureaucratic hurdles to interior designers.

HB 504 is supported by Associated Builders and Contractors and American Society of Interior Designers, but opposed by the American Institute of Architects of Ohio. The bill was reported by the Economic Development, Commerce, and Labor Committee 10-1 with Rep. Dean voting “no.”

#### House Bill 511

HB 511 standardizes the age at which a person can get married. The bill prohibits minors from getting married unless they are emancipated and 17 years old. It requires proof of age when seeking a marriage license and imposes a 14-day waiting period on licenses for 17-year-olds. The bill also prohibits a 17-year-old from marrying someone more than four years older than him or her.

Current law allows males to get married when they are 18 and females when they are 16. A juvenile court can also consent to allow a couple to get married younger than the minimum age when the female is pregnant and intends to have the child. For example, in 2002 a Gallia County judge granted consent for a 14-year-old pregnant girl to marry the 48-year-old father. While these cases are rare, they are allowable under Ohio law, and proponents of the bill argue that the current law provides a high risk of abuse and exploitation of minors.

HB 511 was reported by the Community and Family Advancement Committee unanimously and has no opponents.

#### House Bill 540

HB 540 revises the Ohio Teacher Evaluation System (OTES). The bill requires the Department of Education to revise the state framework for teacher and administrator evaluations, based on the recommendations of the Educator Standards Board, and to submit a summary of its revisions to the State Board of Education for review. The bill also requires the State Board to adopt the revised framework by May 1, 2019, and requires school districts to update their teacher evaluation policies by July 1, 2019.

HB 540 makes several changes to the specifications for the revised framework and does not take effect until the 2020-2021 school year.

HB 540 is supported by the Ohio Education Association and the Ohio Educator Standards Board and has no opponents. The bill was reported by the Education and Career Readiness Committee 17-2 with Rep. Hood voting “no.”

#### House Bill 543

HB 543 authorizes a county prosecuting attorney, in the attorney’s discretion and with the approval of the board of county commissioners, to enter into a contract with

a regional airport authority, port authority, or regional planning commission to be its legal adviser. The county prosecuting attorney would also be permitted to charge a fee for legal services agreed to under the contract.

The bill was supported in committee by the Ohio Association of Regional Councils, the Ohio Aviation Association, the Dayton International Airport, and the Allen County Regional Airport Authority. The bill has no opponents and was reported 11-0.

#### House Bill 551

Currently there is low participation from 16- and 17-year-olds in both construction and manufacturing fields. HB 551 would encourage participation by allowing 16- and 17-year-olds to be hired in construction and manufacturing and permitting them to use a limited number of power tools after taking federally approved safety classes.

Employers would provide training to youth prior to operation of power tools to ensure the highest level of safety. The legislation would open up opportunities for youth exposure to these fields of employment, possibly leading to greater participation in the future.

HB 551 is supported by NFIB, Ohio Manufacturers' Association, and Associated Builders and Contractors. It is pending in Economic Development, Commerce, and Labor.

#### House Bill 557

HB 557 licenses and regulates the practice of art therapy, which is currently not recognized under Ohio law. The bill states that the Counselor, Social Worker, and Marriage and Family Therapist Board will regulate and adopt rules for art therapists.

Art therapists claim they have been practicing at the national level and in Ohio, but are not regulated as their own classification of medical professional. Opponents argue that creation of the title art therapist is unnecessary and inappropriate. The bill was amended to appease opponents by removing an art therapist's ability to "diagnose." While this helped, none of the opponents have changed their stance.

HB 557 is supported by the Buckeye Art Therapy Association, American Art Therapy Association, Cleveland Clinic, and others, but opposed by the Ohio Speech and Hearing Governmental Affairs Coalition, Ohio Occupational Therapists Association, and Ohio Counseling Association. The bill was reported by the Health Committee 13-3 with Reps. Butler, Merrin, and Romanchuk voting "no."

#### House Bill 572

HB 572 aims to help correct a situation mainly affecting the developmental disabilities population.

The bill would require OPERS to grant a full year of service credit to a PERS member employed as a nonteaching school employee of a county board of developmental disabilities if the member performs full-time services in the position for at least nine months and is paid earnable salary in each month of that year. This member must meet the conditions as prescribed under the bill in order to receive the full service credit.

The bill also opens a 90-day window for each eligible county board of developmental disabilities, in working through the county auditor, to report to OPERS the member's name and any additional information required by PERS in the form they require.

Current law grants a full year of service credit to an SERS member who is employed by a SERS-covered employer on a full-time basis for nine or more months of service within a year.

HB 572 was reported by the Aging and Long-Term Committee unanimously and has no opponents.

#### House Bill 595

HB 595 is another “probate omnibus” bill that includes several additional changes to make Ohio’s probate law more efficient, fair, and updated. The bill expands Ohio’s “Slayer Statute” by generally disqualifying a person convicted of involuntary manslaughter from in any way benefitting from the death of the victim of that offense.

The bill also responds to a desire to allow individuals to pass on knowing their estate instruments are valid and mechanisms exist to ensure that private details of their lives can be kept private in a post-mortem dispute. Specifically, the bill makes clear that provisions mandating arbitration in trust disputes are generally enforceable, creates a procedure for determining the validity of a trust prior to the death of the testator, and generally prohibits a person from contesting the validity of any trust as to facts a probate court decided were valid during the testator’s lifetime.

The bill also allows for the personal representative of a decedent to file an application with the probate court to release the decedent’s medical records for the limited purpose of deciding whether to file a wrongful death claim, rather than having to open an estate for that limited purpose. The bill also contains provisions relating to the incorporation of trusts in wills and specifies that the exception to the anti-lapse provisions for wills and trusts only apply to multigenerational class gifts.

HB 595 is supported by the Ohio Judicial Conference and the Ohio State Bar Association. The bill has no opponents. It was unanimously reported by the Civil Justice Committee.

### Senate Bill 66

SB 66 makes numerous “smart on crime” changes to Ohio’s criminal justice system. The bill adds promotion of the effective rehabilitation of an offender to the overriding purposes of felony sentencing. It removes the mandatory one-year minimum that currently applies when a court sentences an offender to a community control sanction for a fourth- or fifth-degree felony under the presumption for such a sanction. This change allows a sentencing court to tailor a sentence to the needs of the individual so they can be more effectively rehabilitated.

The bill modifies how a sentencing court calculates the confinement credit by which the prison term for a felony must be reduced, and it allows a court to impose a new term of up to six months in jail as a penalty for a violation of a community control sanction.

Other key provisions in the bill deal with allowing people to get their lives back on track so they can be productive members of society. Key to these are provisions that: 1.) modify the criteria that a person must satisfy to be eligible for intervention in lieu of conviction, 2.) expand pretrial diversion eligibility with prosecutorial consent, and, 3.) expand the categories of offenders who are “eligible offenders” for purposes of Ohio’s Conviction Record Sealing Law.

SB 66 is supported by ODRC, Ohio Judicial Conference, and others. The bill has no opponents. It passed the Senate 32-0 and was unanimously reported by the House Criminal Justice Committee.

### Senate Bill 81

Current law only allows a retired or honorably discharged veteran to apply for a concealed carry license with documentation of proof of training for up to 10 years after separation from the military. SB 81 would remove this time limit. This legislation removes concealed carry license fees for veterans unless waived fees in a year amount to \$1.5 million. The window will close until the start of next year if the limit is reached. The Attorney General will track waived fees and report to sheriffs when the window is closed.

SB 81 also permits a current veteran CHL holder to renew the license before expiration. This is already allowed for ordinary Ohio citizens and brings veterans with a CHL into that same group.

SB 81 is supported by AMVETS and has no opponents. It was reported out of Armed Services, Veterans Affairs, and Homeland Security 10-1.

#### Senate Bill 127

Am. S.B. 127 requires drivers to move over or reduce their speed for stationary waste collection vehicles with flashing lights. The bill also allows waste collection vehicles (trash, garbage, refuse, or recyclables) to use flashing lights. The bill was supported by the Solid Waste Association of North America and Rumpke and did not have any opponents in House Government Accountability and Oversight. The bill was reported 10-0.

#### Senate Bill 216

SB 216 aims to deregulate burdensome policies affecting public school districts across the state and enact other education-related policies.

SB 216 revises the Ohio Teacher Evaluation System (OTES) as recommended by the Ohio Educator Standards Board and compromised by various stakeholders.

The bill also revises educator licensure and employment, including grade bands, licensure in Early College High Schools, career-tech licensure, substitute teacher licensure, and gifted services professional development.

Lastly, SB 216 revises textbook costs to students and universities for College Credit Plus, removes excused absences from the requirement of a school district's determination for an 'excessively absent' student, and requires each school district to complete and file a "Consolidated School Mandate Report" by November 30th every year with ODE.

SB 216 is pending in the Education and Career Readiness Committee.

#### Senate Bill 220

SB 220 provides an incentive for businesses to achieve a higher level of cybersecurity through voluntary action. It creates an affirmative defense to a tort action against a covered entity because of a data breach if the entity is accused of failing to implement reasonable information security controls and the entity has a cybersecurity program that meets the bill's requirements. "Covered entity" is defined as a business or nonprofit entity, including a financial institution, that accesses, maintains, communicates or handles personal information or restricted information.

The bill requires the covered entity to create, maintain, and comply with a written cybersecurity program in order to be eligible for the affirmative defense. Attorney General Mike DeWine, the Ohio Chamber of Commerce, Nationwide, NFIB, Lunarline, and XLN Systems were proponents in the Senate. It is expected that the trial attorneys will oppose the bill in the House. The bill is pending in GAO committee. SB 220 passed the Senate 24-8 (party line).

### Senate Bill 221

Sub. SB 221 looks to enhance Ohio's rulemaking process by not allowing informal policymaking by state agencies. This change will make the impact of agency rules more transparent. Sub. SB 221 would allow the Joint Committee on Agency Rule Review (JCARR) to call any agency that improperly establishes rule through policy rather than the formal process. It would also allow the committee to vote to make the agency write a formal rule in lieu of the informal policy. Other provisions in the bill pertain to a self-examination process, inaction on rules that agencies were statutorily required to propose, and JCARR's ability to review rules between a 5-year rule review period.

Sub. SB 221 passed the Senate 30-3 and is supported by JCARR, NFIB, Ohio Chamber, Ohio Association of Goodwill Industries, and the Small Business Consultants of Ohio.

### Senate Bill 239

SB 239 requires the regional council of governments' (COG) officers—upon forming a COG and before taking an official action—to notify the Auditor of State of its formation. Records containing the names of political subdivisions that are members of a COG or names of representatives from those political subdivisions who serve on the COG are public records. COG officials and employees are subject to the Ethics Law under this bill. Under current law, a COG is sometimes formed in order to perform any number of functions, including studying governmental problems in a region, carrying out regional development projects, and pooling government resources to provide services. SB 239 is pending in State and Local Government Committee. To date, the bill is supported by Auditor Yost, OML, and the Ohio News Media Association. The bill passed the Senate 33-0.

### Senate Bill 299

SB 299 provides \$23.5 million in additional GRF funding and \$12.7 million in additional capital funding for programs that support the protection and preservation of Lake Erie and its tributaries. The additional operating budget funding will go to the Department of Agriculture for soil and water conservation districts in the Lake

Erie Basin and to the Soil and Water Phosphorus Program, which the bill creates. Additionally, the Department of Higher Education is provided new capital funding that will be given to the Ohio Sea Grant Program to build new laboratory space at the Stone Laboratory and buy in-lake monitoring equipment.

SB 299 is the companion bill to HB 643 (Arndt, Patterson), which was reported out of Finance Committee unanimously. The only difference between the two bills is that HB 643 states that no more than 40 percent of the money in the phosphorus program can be used for one activity.

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Sent from mobile device. Please excuse any typographical errors.

**From:** rperales59  
**Sent:** Sunday, June 24, 2018 8:51 AM  
**To:** William Reineke  
**Subject:** RE: FW: whip list for 6 27 2018

Bill, I'm good with HBO 92, 156, 211, 240, 293, 349, 355, 371, 386, 425, 469, 479,  
480, 497, 500, 502, 511, 540, 543, 551, 595,  
SBS 81, 127, 66, 221

Still working others. Thanks. Rick

via the Samsung Galaxy Tab E, an AT&T 4G LTE tablet

----- Original message -----

From: William Reineke <[wiliam.reineke@drivereineke.com](mailto:wiliam.reineke@drivereineke.com)>  
Date: 6/22/18 3:36 PM (GMT-05:00)  
To: Rick Perales <[rperales59@gmail.com](mailto:rperales59@gmail.com)>  
Subject: FW: whip list for 6 27 2018

**Hi Rick,**

Please advise!

Thanks, Bill

Bill Reineke

State Representative, 88<sup>th</sup> District

c) 419 934 7387

Tuesday, June 26, 2018

Caucus 7:00 – 9:00 PM

Wednesday, June 27, 2018

Caucus 10:00 – 11:00 AM

Session: 11:00 AM

#### Bills for Third Consideration

- House Bill 7 – Rep. Cupp – Reported out of Civil Justice (11-2, Dever)
  - o Address medical claims and provider immunities
- House Bill 51 – Rep. Faber – Reported out of State and Local Government (8-6, Anielski, Arndt)
  - o Review and sunset cabinet departments
- House Bill 92 – Rep. Schaffer – Reported out of Criminal Justice (13-0)
  - o Require public indecency before minors offenders to register

- House Bill 156 – Rep. Schuring – Reported out of Insurance (11-0)
    - o Address vision care insurance limits
  - House Bill 189 – Rep. Roegner, Reece  $\cancel{F}$  0 Reported out of Government Accountability and Oversight (10-4, party line)
    - o Change Cosmetology Licensing Law
  - House Bill 211 – Rep. Hughes – Reported out of Economic Development, Commerce, and Labor (12-2, Hood, Dean)
    - o License home inspectors
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- House Bill 240 – Rep. Barnes – Reported out of Higher Education and Workforce Development (12-0)
    - o Require state higher ed to adopt sex offense policies
  - House Bill 293 – Rep. Scherer, Sheehy – Reported out of Transportation and Public Safety (11-3, Manning)
    - o Alter time periods pertaining to new drivers
  - House Bill 349 – Reps. LaTourette – Reported out of Criminal Justice (13-0)
    - o Increase and expand crime of assaulting a police animal

- House Bill 355 – Reps. Hill, Rezabek – Reported out of Criminal Justice (13-0)
  - o Prohibits sexting if under 21 but allows diversion from penalty
- House Bill 371 – Rep. Merrin – Reported out of Ways and Means (15-3, Green, Hambley)
  - o Exempt increased value of subdivided land until building starts
- House Bill 386 ? 3 Reps. Henne, Kelly – Reported out of FIHUD (12-0)
  - o Modify credit reporting agency fees for a credit report freeze
- House Bill 394 – Rep. Rezabek – Reported out of Criminal Justice (10-3, Butler, Cupp, Hughes)
  - o Revise juvenile procedures
- = 2 House Bill 425 – Reps. Antani, Craig – Reported out of Government Accountability and Oversight (12-0)
  - o Declare police body camera recordings not to be public records
- House Bill 469 – Reps. Schuring, Patton ? 3 Reported out of Government Accountability and Oversight (12-0)
  - o Grant tax credit for transformational mixed use development

- House Bill 479 – Reps. Lipps, West – Reported out of Government Accountability and Oversight (12-0)
  - o Disclose drug price information to patients
- House Bill 480 – Rep. Hill – Reported out of Civil Justice (11-0)
  - o Establish requirements for multi-parcel auctions
- House Bill 497 – Reps. Rogers, Manning – Reported out of Community and Family Advancement (13-1, Vitale)
  - o Prohibit disseminating private sexual images
- House Bill 500 – Rep. Carfagna – Reported out of State and Local Government (14-0)
  - o Change township law
- House Bill 502 – Rep. Anielski – Reported out of Education and Career Readiness (19-0)
  - o Train public school educators about youth suicide
- House Bill 504 – Rep. Pelanda – Reported out of Economic Development, Commerce, and Labor (10-1, Dean)
  - o Regards interior designers

- House Bill 511 – Reps. Lanese, Rogers – Reported out of Community and Family Advancement (11-0)
  - o Change age at which can marry
- House Bill 540 – Reps. Gavarone, Manning – Reported out of Education and Career Readiness (17-2, Hood)
  - o Regards teacher evaluations
- House Bill 543 – Reps. Perales, Hambley – Reported out of State and Local Government (11-0)
  - o Allow prosecutor to contract to give outside legal advice
- House Bill 551 -- Reps. Perales, Romanchuk – Pending in Economic Development, Commerce and Labor
  - o Regarding hazardous occupations prohibited for minors and providing training to certain minors employed in a construction or manufacturing occupation
- House Bill 557 – Rep. Anielski – Reported out of Health (13-3, Butler, Merrin, Romanchuk)
  - o License and regulate art therapists
- House Bill 572 – Reps. Scherer, Howse – Reported out of Aging and Long-Term Care (11-0)
  - o Regards PERS service credit for nonteaching DD board employees

- House Bill 595 – Reps. Cupp, Rezabek – Reported out of Civil Justice (12-0)
  - o Revise law of wills, trusts, and suspicious deaths
- Senate Bill 66 – Sens. Eklund, Tavares – Reported out of Criminal Justice (13-0)
  - o Modify criminal sentencing and corrections law
- Senate Bill 81 – Sen. Terhar – Reported out of Armed Services, Veterans Affairs, and Homeland Security (10-1)
  - o Revise licensing rules for military personnel concealed carry
- Senate Bill 127 – Sen. LaRose – Reported out of Government Accountability and Oversight (10-0)
  - o Require actions when driver approaches waste collection vehicle
- Senate Bill 216 – Sen. Huffman – Pending in Education and Career Readiness
  - o To enact the "Ohio Public School Deregulation Act" regarding the administration of preschool and primary and secondary education programs
- Senate Bill 220 – Sens. Hackett, Bacon – Pending in Government Accountability and Oversight
  - o To provide a legal safe harbor to covered entities that implement a specified cybersecurity program

- Senate Bill 221 – Sen. Uecker – Pending in Government Accountability and Oversight
  - o To reform agency rule-making and legislative review thereof
- Senate Bill 239 -- Sen. Dolan – Pending in State and Local Government
  - o To modify the law concerning regional councils of governments
- Senate Bill 299 – Sen. Gardner – Pending in Finance
  - o To allow equipment for the protection and preservation of Lake Erie to be purchased with proceeds from the Parks and Recreation Improvement Fund, and to appropriate funds for projects enhancing water quality in the Western Lake Erie Basin

#### House Bill 7

HB 7 addresses several areas of tort law, primarily in regards to medical malpractice litigation. The bill codifies the Ohio Supreme Court's recent medical malpractice "apology" holding by expressly stating in the statute that an apology may include a statement that includes an admission of error or fault. The bill also permits notice of a lawsuit to be provided by certified mail (as opposed to personal service, which can be awkward for all parties). To help minimize the inclusion of non-liable medical providers in a lawsuit, the bill establishes an optional alternative process, allowing for a more targeted approach without diminishing or enlarging the time within which the lawsuit must be filed under current law.

Additionally, HB 7 prohibits the use of insurer payment policies and guidelines—including those of government payers—to establish the standard of care required of

medical providers for tort liability purposes. The bill permits peer review of information shared with regulators, but also clarifies that disclosing the peer review information to a regulator does not otherwise affect the confidentiality of the information. The bill provides protection for certain providers/hospitals concerning good faith failure to discharge and discharge. Of final note, in the event that an epidemic or a natural, technological, or man-made disaster overwhelms emergency care providers, the bill provides for an alternative standard of liability for emergency care providers to encourage them to still provide needed medical care in such situations.

HB 7 is supported by the Ohio State Medical Association and the American College of Emergency Physicians, but opposed by the Ohio Association for Justice. The bill was reported by the Civil Justice Committee 11-2 with Rep. Dever voting "no."

#### House Bill 51

HB 51 establishes a procedure for the General Assembly to periodically review cabinet departments and establishes a schedule for departments that are not renewed to cease operation. The bill also modifies the schedule of performance audits conducted by the Auditor of State to coincide with the periodic review of departments.= A

The bill requires the Senate President and House Speaker to direct standing committees to hold hearings to evaluate departments within the first three months after a general assembly begins.

HB 51 is supported by Americans for Prosperity and opposed by Service Employees International Union (SEIU), Ohio Civil Service Employees Association (OCSEA), and Policy Matters Ohio. The bill was reported out of State and Local Government Committee 8-6 (Anielski, Arndt).

#### House Bill 92